WEATHER.
Fair tonight and tomorrow, with moderate temperature; gentle to moderate north and northeast winds.
Temperature for twenty-four hours ending 2 p.m.: Highest, 78, at 2:25 p.m. yesterday; lowest, 61, at 6 a.m. today.
Full report on page 7.

CLOSING NEW YORK STOCKS PAGE 20.

The Evening Star.

"From Press to Home Within the Hour"

Sworn Net Circulation, Month of April, 1916, Daily Average, 82,916; Sunday, 59,570.

No. 20,335. WASHINGTON, D. C., WEDNESDAY, MAY 31, 1916—TWENTY-FOUR PAGES. ONE CENT.

FRENCH GIVE WAY BEFORE FEROCIOUS GERMAN ASSAULTS

Paris Admits Retirement From First Line Trenches Near Caurettes Woods.

ARMY OF CROWN PRINCE IS GAINING BIT BY BIT

Wedge Being Driven Gradually Into French Line West of the River Meuse.

ATTACKING IN GREAT FORCE

Verdun Front Continues Scene of Some of the Most Desperate Fighting of the Entire War.

LONDON, May 31.—The German offensive west of the Meuse, in the Verdun region, is being relentlessly pressed, and bit by bit the French are being forced back. Gen. Neville's forces, which yesterday were struggling to retain a foothold in the outskirts of Cumieres village, have now admitted they retired in this sector in the face of infantry attacks which followed an intense bombardment.

The conceded withdrawal was from a first-line trench near Caurettes wood, south of Cumieres.

German Force Annihilated.

In addition, the possibly significant admission is made that a detachment of German troops, under cover of fog, was able to penetrate to the vicinity of Chattancourt, which lies more than a mile below Cumieres. This force, however, was annihilated when taken under fire of the French artillery, the Paris war office declares.

The German advance in this sector is fast driving a wedge into the French line just to the west of the Meuse, the movement being apparently intended to outflank the French in the vicinity of their commanding Dead Man hill and Hill 304 positions.

French Give Up Trenches.

PARIS, May 31, 12:15 p.m.—In the course of a violent struggle last night on the Verdun front, the Germans compelled the French to evacuate a first-line trench near the Caurettes wood, south of Cumieres, the war office announced today.

After two days of especially severe bombardment the Germans launched infantry attacks repeatedly in great forces over a considerable section of the Verdun line. The French resisted stubbornly, and, the official statement says, repulsed the Germans everywhere except near Caurettes wood. The trench which was evacuated had been leveled by the German shell fire.

Under cover of a fog detachments of German troops made their way to the vicinity of Chattancourt, where they were annihilated by the French fire.

East of the Meuse there were intermittent artillery encounters.

Battle Termed "Ferocious."

The text of the statement follows:

"On the left bank of the River Meuse a ferocious battle took place yesterday and last night between Dead Man hill and the Meuse. The enemy, at the conclusion of a bombardment of unheard-of violence, which had been going on for two days, delivered repeated and concentric attacks, in which large numbers of men were employed, upon our trenches east of Dead Man hill and on certain of our positions in the village of Cumieres.

"Everywhere our troops resisted and repulsed the enemy, who suffered important losses. Nevertheless, in the region south of Caurettes wood we were compelled to evacuate our first line trench. This already had been completely leveled by the bombardment by the enemy.

Counter Attack Successful.

"South of Cumieres German attacks, delivered from two sides of the village, were successful in the beginning in driving us back in the direction of the Chattancourt station, but a spirited counter attack made it possible for us to force the enemy back to the outskirts of the village of Cumieres.

"Certain German detechments, which, under cover of a fog, had made their way along the river Meuse as far as the height at the Chattancourt station, were annihilated by our fire.

"On the right bank of the river there has been intermittent artillery fighting.

"In upper Alsace the enemy, after an intense preparatory artillery fire, attacked our positions at a point about 1,200 yards east of Seppys. They secured a footing in some of our trenches, but they were at once driven out by our counter attack."

Berlin Report of Battle.

BERLIN, May 31 (by wireless to Sayville).—German troops operating in the Verdun region west of the Meuse have been successful in clearing the southern environs of Cumieres village of the French who were holding on there, the

(Continued on Eleventh Page.)

"MORAL TREASON," COLONEL CHARGES

Accuses German-American Alliance of Disloyalty in Speech at St. Louis.

SAYS IT ACTS IN BEHALF OF A FOREIGN POWER

Asserts Members Seek to Make Public Officials Really Representatives of Another Nation.

ST. LOUIS, Mo., May 31.—Moral treason to the United States was charged by Theodore Roosevelt, in an address delivered here today, against German-Americans who seek to make their governmental representatives act in the interests of Germany rather than this country. He characterized the German-American Alliance as "an anti-American alliance," but added that he believed that its members "not only do not represent, but scandalously misrepresent" the great majority of real Americans of German origin.

Col. Roosevelt, who arrived here today from Kansas City, faced a busy day of speech-making. He was scheduled to make three addresses and to hold a public reception.

A tremendous cheering crowd greeted Col. Roosevelt at the Union station. He went through it with a rush, and hurried forward, stumbling into a refuse can as the crowds behind pressed against him. Policemen ran to keep up with him. Another crowd was awaiting him at the hotel.

After a brief address to several hundred persons who breakfasted with him, Col. Roosevelt's plans called for a reception at his hotel and an address to the Business Men's League at the Mercantile Club. He expects to leave for New York at 5 o'clock this afternoon.

Takes Issue With Mr. Wilson.

Speaking before a crowded room at the breakfast, Col. Roosevelt took issue with President Wilson's views on preparedness.

"The trouble with us in America," Mr. Roosevelt said, "is our tendency to use lofty words to veil our meaning. I wish to take issue with Mr. Wilson's expressions in his Memorial day address. The President says he is for 'universal voluntary service.' That is equivalent to a truant law that would make every boy and girl attend school provided they didn't wish to stay away.

"I like the word 'universal,' but 'voluntary' is a weasel word. It sucks out the life of the other. Mr. Wilson said the acid test was about to be applied to the business men of the nation to see if they will allow their employes to volunteer for training. I am against it. It cannot be patriotism that asks one man to have others prepare to do his fighting.

Urges Care of Words.

"Divided patriotism is as impossible as hyphenated citizens. I appeal for you to prepare yourself. Get out of the rut of the copperhead pacifist.

"I wish to correct the statement—I mean the misstatement—that has been made that this preparedness movement has been instigated by ammunition manufacturers. That is false. The men most concerned are patriots and Americans, not money seekers.

"We have had a great deal of rhetoric, but the American people ought to be more careful of words. We should remember it is our duty to use no word unless we mean it; to declare for no principle unless we are willing to translate our love of that principle into action."

'America for Americans,' His Motto.

Urging the motto "America for Americans," for all Americans whether they were born here or abroad, the former President declared that "the salvation of our people lies in having a nationalized and unified America, ready for the tremendous tasks of both war and peace."

"I appeal to all our citizens," the colonel said, "No matter from what land their forefathers came, to keep this ever in mind, and to shun with scorn and contempt the sinister intriguers and mischief-makers who would seek to divide them along lines of creed, of birthplace or of national origin."

Col. Roosevelt said he came to St. Louis to speak on Americanism—to speak of and condemn the use of the hyphen "whenever it represents an effort to form political parties along racial lines or to bring pressure to bear on parties and politicians not for American purposes, but in the interest of some group of voters of a certain national origin, or of the country from which they or their fathers came."

He was equally against the native American of the wrong kind and for the immigrant of the right kind, the former President declared. But the immigrant who did not become in good faith an American "is out of place" in the United States. He said each nation should be judged by its conduct, and that the United States should oppose encroachment on its own rights, whether Germany, England, France or Russia be guilty of misconduct.

"Breeds Bitterness and Prejudice."

"The effort to keep our citizenship divided against itself," the colonel continued, "by the use of the hyphen and along the lines of national origin is certain to breed a spirit of bitterness and prejudice and dislike between great bodies of our citizens. If some citizens band together as German-Americans or Irish-Americans, then after a while others are certain to band together as English-Americans or Scandinavian-Americans, and every such banding together, every attempt to make for political purposes a German-American alliance or a Scandinavian-American alliance means down at the bottom an effort against the interest of straight-out American citizenship—an effort to bring into our nation the bitter old world rivalries and jealousies and hatreds.

"What I have been striving for a year and three-quarters to do is to protest against the upgrowth of this utterly un-American spirit, which means, if successful, division and impotence in

(Continued on Fourteenth Page.)

BAR ADVERTISING FROM THE PARADE

Officials Will Confine Patriotic Demonstration Strictly to Preparedness.

RULES FOR PROCESSION ADOPTED BY COMMITTEE

Points of Formation, Equipment of Marchers and Conditions of Participation Fixed at Meeting.

AMERICANS, ANSWER!

"Preparedness calls you to the colors June 14 next.

"Not only prepare to march, but send your subscription to the Preparedness Parade Fund to The Star or any other Washington newspaper. It will be promptly acknowledged through Rudolph Kauffmann, treasurer of the National Capital preparedness parade committee.

"Act now. This will be a potential occasion. Red-blooded men and women will want to have a part in it."—The executive committee.

Washington's preparedness parade to be held on Flag day, June 14, is to be devoid of all advertising features. It is to be confined strictly to a great patriotic demonstration for national preparedness in its various forms.

This decision was reached at a meeting of the preparedness parade committee today, when a set of rules to govern participation in the procession was adopted. The names of all firms are to be eliminated and nothing suggesting commercialism is to be permitted. At the head of each section there will be a banner denoting the particular type of organization, profession, trade or occupation following and that will be all.

Rules for the Parade.

Rules for the preparedness parade were adopted by the committee as follows:

"The preparedness parade is open to every man, woman and child in the District of Columbia, or that may be in the District Wednesday, June 14, next, Flag day, subject to the following rules:

"All marchers shall proceed to the respective points of formation in occupational or other groups, and maintain that position until the reviewing stand is passed.

"Every marcher must carry an American flag.

"Every horse or vehicle must carry the American colors.

"No signs or banners other than those to denote occupational or other groups will be permitted in the line of march. The marshal or one of his aids has the authority to order any one from the procession who does not respect this rule.

"Individuals and small groups not desirous of parading over the entire route of procession may join the ranks of preparedness paraders at any of the following points: 6th and Pennsylvania avenue, north side; 8th and Pennsylvania avenue, north side; 11th and Pennsylvania avenue, north side; 13th and Pennsylvania avenue, north side, and 15th and Pennsylvania avenue, north side.

"Paraders desiring to leave the line of march may do so at any of the abovenamed street intersections, but from the south side of Pennsylvania avenue in every instance.

To Regulate the Marching.

"Members of the public order committee will be in charge of each of the above named points. No organizations or individuals shall be permitted by the police to enter for parade purposes until the public order committeeman in charge shall give the word.

"Marshal or one of his aids will formally designate points of formation for all organizations or units, as well as unattached individuals.

"All marchers must assemble at the appointed time and be prepared to march when the order is given.

"Full and timely information as to assembly and marching time will be given to heads of organizations or groups direct and to the public generally in the daily newspapers."

It was definitely decided by the committee that automobiles and other vehicles will be permitted in the parade under certain conditions. Persons who are unable to walk will be permitted to ride, and the use of vehicles also will be extended to distinguished persons heading various sections and to honorary guests who may participate in the parade on the invitation of the preparedness parade committee. The latter would include the mayors of nearby cities and towns and members of their staffs, the committee today having decided to extend an invitation to them.

All Vehicles to the Rear.

Vehicles carrying persons who are unable to walk will not be permitted to enter the parade until all the marchers have gone ahead of them, the committee decided.

One matter which occupied the attention of the committee today was the matter of funds. It was explained that a certain amount of money is absolutely necessary, for despite the efforts of the committee to work along economical lines there are certain expenses, such as postage, clerk hire, stationery, etc., which must be met.

The committee can use all the money which it has received. It is anxious to have as many bands in the parade as possible, and the number of these will depend on the amount of money available. The committee is anxious to get a fund together as soon as possible so that it will know how much money it is to have at its disposal, and will make its plans accordingly.

Announcement was made of the receipt of additional funds today, as follows:

O. J. De Moll & Co.	$25.00
Columbia Planograph Company	10.00
Willard Fracker	2.00

No Money for Additional Police.

Maj. Raymond Pullman, superintendent of police, called to the attention of the committee that no funds have been provided with which to hire additional policemen. This will mean that a large portion of the District will not receive its usual police protection on that day by reason of the withdrawing of policemen to patrol the line of march. Maj. Pullman is anxious to obtain the use of automobiles for the policemen not on duty along the parade, so that they might be able to cover a wide territory. The committee decided to request residents of Washington having automobiles and chauffeurs to loan their cars to the police. One policeman will be put in each car and will spend the day patrolling a large district in this manner.

The chairman of the committee announced that already railroads leading into Washington are arranging special excursions June 14 to bring to Washington thousands of persons who are anxious either to participate in or witness the preparedness parade.

The committee adopted a suggestion made by Maj. Pullman that the great American flag carried in the G. A. R. encampment parade held here last fall be a feature of the preparedness parade. The flag, which is the largest American flag ever made, is the property of a G. A. R. post at Canton, Ohio. The committee will write to this post asking that the flag be loaned to it. If the flag can be obtained, it was the belief of the members of the committee, it should be given a prominent position near the beginning of the procession.

Navy Yard to Have 1,000 Marchers.

Navy yard employes are planning to have at least 1,000 of their number in the parade. A committee has been formed to arrange for their participation in the great preparedness demonstration, and Frank De Groot is its chairman. Mr. De Groot and Samuel Peake attended the meeting of the parade committee today as representatives of the navy yard men.

They said their fellow-workers contemplated entering at least three big floats in the procession. Final arrangements for the participation of the navy yard men are to be made at a meeting to be held tomorrow night at Weller Hall.

The cadet companies of St. John's College and of Gonzaga College will be in the line, according to information received today from Maj. J. A. Dapray, U. S. A., in charge of military affairs at the two schools. In addition to several companies of cadets, there will be a cadet fife and drum corps, he said.

Rev. G. E. Williams of Petworth M. E. Church has told the committee that the Boys' Progressive Club of Petworth plans to participate in the demonstration.

Col. Henry May today was named chairman of a committee which is to have charge of the participation of members of the Metropolitan, Commercial, Chevy Chase, Columbia and other clubs of the city.

Electric and civil engineers are making plans for a good representation of their professions in the line, it was announced. Secretary Columbus announced that the preparedness parade committee headquarters on the fifth floor of The Star building has had a telephone installed, the number being Main 5109. Officials of the banks and trust companies are actively engaged in making plans for participation in the demonstration, and the committee has been assured that there will be a big representation of officials and employes.

To Set Hour Today.

The time at which the parade probably will start will be decided upon this afternoon at a conference between Chairman Gude and Secretary Columbus and members of the interdepartmental Flag day exercises committee to be held at 4 o'clock at the War Department. Should indications point to a parade of greater length than that which the committee on arrangements now estimates, the hour probably will be advanced at a later date, so that the procession will in no way conflict with the Flag day exercises.

E. J. Murphy announced today that plans already are taking shape for the participation of children of the orphan asylums of the city in the parade. The orphans have been organized into a unit, and Mr. Murphy now is considering the advisability of having them ride in automobiles in the parade instead of marching. Mr. Murphy is confident that he will have no difficulty in obtaining the use of machines in which to carry the orphans, a number of persons already having offered their cars.

"Movie" Operators to Take Part.

Motion picture machine operators and photo-engravers were among those who signified their intention today of participating in the parade. J. Harry Cunningham, vice president of the Lanman Engraving Company, told Secretary Columbus that his firm plans to give its photo-engravers a holiday June 14 so that they

(Continued on Second Page.)

A PREPAREDNESS DRILL.

INSISTS THAT U. S. WITHDRAW TROOPS

Carranza Reiterates Demand in Note Handed State Department Today.

SAYS PRESENCE OF MEN IS HAVING A BAD EFFECT

Believes Mexico Can Be Cleared Better if American Expedition Is Brought to Border.

A new note from Gen. Carranza asking for a definite explanation of the continued presence of American troops in Mexico and renewing his previous request for their withdrawal, was presented to the State Department today by Elesio Arredondo, the Carranza ambassador.

Gen. Carranza's new note refers to the repeated declarations that the United States wants no war with Mexico and argues that the withdrawal of the troops would be the best proof of that attitude on the part of the American government.

Wants Troops Withdrawn.

The continued presence of the punitive expedition, the note says, is having a contrary effect. It goes on to say that Carranza troops are now able both in numbers and position to control outlawry in northern Mexico and that co-operation by the American troops in preventing incursions into the United States can best be carried on by having the forces on the American side of the border. It declares that had the American troops now in Mexico been engaged in patrol on the American side the Glen Springs and Boquillas raids could have been prevented.

State Department officirals regard the note not as an ultimatum, but as a continuance of the negotiations with the Carranza government.

Envoy Explains Delay.

After delivering the note to Acting Secretary Polk, Eliseo Arredondo, Gen. Carranza's ambassador here, admitted that it was brought to Washington Monday by Manuel Mendez, an attache of the Carranza foreign office. The ambassador said he denied the existence of the note at that time because he wished to ask his foreign office if anything has occurred to change its attitude during the time the note was en route to Washington. He received instructions last night that there had been no change and presented the note this morning. It is signed by Foreign Minister Aguilar, covers about twenty-eight typewritten pages and is in Spanish. Arrangements will be made later for its publication.

Gavira Leaves for Conference.

EL PASO, Tex., May 31.—Gen. Gavira, constitutionalist commander of northern Chihuahua, left Juarez today for Casas Grandes, 120 miles south of the frontier, to confer with Gen. Pershing, the American expeditionary commander, with a view to obtaining closer co-operation between the two commands.

Gen. Pershing is expected to arrive in Casas Grandes today by automobile from his field base near Namiquipa. The conferences are to be started tomorrow. The constitutionalist commander expressed a belief that the conferences would not be of long duration.

Gen. Gavira left aboard a special train and was accompanied by his staff and an escort of about sixty men. A machine gun was mounted on one of the cars.

First Attempt at Co-Operation.

The impending conference is said by many to be the first real attempt to secure co-operation between the Carranza forces and the Americans since the expeditionary command crossed the border, two and a half months ago.

It was pointed out that this conference is the natural outcome of the recently held Scott-Obregon conference at which the Mexican minister of war verbally agreed to take every effort to eliminate bandits from northern Mexico.

The troops sent by Gen. Jacinto Trevino, commander-in-chief of northern Mexico, to Gen. Gavira have been distributed along the line of the Mexican Central railroad. They will begin a general movement westward, closing up on Pershing's lines with a view to catching the scattered bandits in the net. It is the possibility of accidental clashes when the two lines come in contact that caused Gen. Gavira to seek a conference with Gen. Pershing.

DISTRICT MONEY BILL TAKEN UP BY COMMITTEE

Consideration of the District appropriation bill was begun today by the subcommittee of the Senate appropriations committee charged with that duty. District Commissioners Newman and Brownlow and Engineer Commissioner Kutz appeared before the committee and were heard on the rider in the House bill doing away with the half-and-half plan.

Senator John Walter Smith, chairman of the subcommittee, said this afternoon that the subcommittee intended to go very fully into the matter and to obtain all the information possible before acting on what he considers the most important and critical situation that has confronted the District in many years. He said that full opportunity would be given citizens of the District to be heard on this matter which so vitally concerns them.

Senator Smith and the other members of the subcommittee are anxious that full justice be done both the residents of the District and the people of the entire country in the matter of appropriating for the District. He is in favor, he said, of a very liberal policy regarding the District, and that he believed the people of the country were in favor of liberality to the Capital city.

DAY IN CONGRESS.

Senate:

Met at noon.

Resumed debate on post office appropriation bill.

House:

Met at 11 a.m.

Discussion of naval appropriation bill resumed.

DISTRICT IN CONGRESS.

House:

District committee reports the Johnson bill providing for disposition of unclaimed deposits in banks.

Senate:

Consideration of the District appropriation bill was begun today by the subcomittee of the Senate apropriations committee in charge of that measure.

A hearing on the Klingle Ford Valley Park bill and on the Works bill to regulate the height of buildings on 16th street was given by the subcommittee on streets of the Senate District committee.

Senator Gallinger of New Hampshire introduced a bill to add to the area of the National Botanic Garden.

MR. HUGHES' STAND BURNING QUESTION

"Field" Against Justice Wonders if It Can Bluff Him Out.

NOW TAKING CRACK AT FRANK HITCHCOCK

Old Guard Professes to Be Not Alarmed by Demonstrations for Roosevelt.

BY N. O. MESSENGER.

CHICAGO, May 31.—The burning question today in the camps of the allies, the "field" against Mr. Justice Hughes, is "what is Mr. Hughes going to do?" Having failed to "smoke him out," they are now wondering how far they may be successful in "bluffing" and scaring him out.

Can any one down your way enlighten them? They are standing around the lobbies and hobnobbing in their headquarters, listening for the long-distance phone to ring or an extra edition of the papers announcing some move on the part of the sphinx of 16th street. In spare moments they take a crack at Frank Hitchcock, whose lot is not a happy one just at present. Repudiating authority to speak for Mr. Justice Hughes and unable to wear a Hughes bouquet, he yet must stand as the target for brickbats.

Last night a report was circulated that Mr. Hitchcock had darkly hinted to delegates that he would be in a position, if Mr. Hughes is elected, to dispense valuable patronage. It was well understood also that such a report would affect Mr. Hughes.

Hitchcock in Denial.

"Absolute fabrication, without a scintilla of truth," said Mr. Hitchcock, who refused to even get mad or to use the shorter and uglier word made so famous by the man he once served so well, the colonel.

I rather opine that Mr. Hitchcock is sorry he came out here among these rude westerners, with their Donnybrook fair manner of waging politics, which, of course, is on the principle of "whenever you see a head, hit it."

Meanwhile, above the buzz and humming of the tittle-tattle and whispering of corridor and conference closet, drifts in on the southern breeze an echo of that deep diapason of acclaim which is greeting the colonel on his Missouri trip. It goes in one ear and out the other of the assembled old guard leaders here, however.

"One thing at a time," they say. "Let's attend to Mr. Justice Hughes first, and once he is out of the way, we will take it up with the colonel."

Roosevelt People Content.

As for the Roosevelt people, they are content. They say that the allies are doing for the colonel the first necessary work preliminary to the Roosevelt campaign, pioneer work, "clearing away the underbrush for a Roosevelt drive," as they put it, meaning thereby weakening of the Hughes strength.

Kindly "first aid" efforts for the colonel also are being made by the German Americans, who, in convention assembled, turned "thumbs down" on Roosevelt as a possible nominee and served notice on republican leaders to that effect. The action unquestionably has served to turn sentiment of a character far from negligible to the colonel. Some of the German-American papers, notably a leading publication in Milwaukee, insist that the movement was ill advised and refused to sanction it. Today comes out the Chicago Herald, one of the great influential dailies of the middle west, flat-footedly for the colonel as the best man the republicans could nominate. This course was predicted after the organization yesterday of a committee of republicans, representing vast business interests in Illinois, to forward the Roosevelt candidacy among regular republicans.

Thus far the Tribune, which was for Roosevelt four years ago, has remained silent. The Evening Post is enthusiastically for the colonel.

Old Guard Not Alarmed.

The old guard profess to be not alarmed by developments or demonstrations. They pin their faith in the "hand-picked" delegates of the east and the top-layer delegates sent by the primaries, many of whom were chosen with careful consideration of their predilections. They also say they are not worried over the Roosevelt demonstrations, comparing them to the popular outbursts for Bryan in 1896 and 1900, when it seemed that wherever he spoke everybody would be for Bryan at the polls.

Delegates are arriving singly and in small groups, mostly the leaders in the states and districts, the class of men who are taken into council. Each rival candidate camp claims recruits today as these men come in. The wise old owls among the leaders, however, take with a grain of salt all claims from the rival headquarters.

"Ringers" Are Disqualified.

The newspaper men dodge behind a pillar when they see the enthusiastic press agents bearing down upon them with typewritten claims of strength. In addition to the long lists of candidates who will actually be voted upon in the convention there are some "ringers" whom the national committee has had to disqualify. The committee has refused to recognize as presidential candidates no less than seven men under the procedure a candidate is allowed twenty convention tickets, which are now worth about $250 each. Seven enterprising gentlemen were willing to endure the humillation of being rejected by the convention in order to get hold of these tickets, but Chairman Hilles has given them a stony glare.

Of all the men bringing up the rear of the candidatorial procession Gen. Du Pont of Delaware is the only one regular. He is a genuine candidate, for he has six instructed delegates for him. Of course the tickets are of no consequence to him, as he can afford to light his cigars with them if so disposed. He will be placed in nomination and voted for.

District May Not Get Vote.

Some of the republican national committeemen are discussing a proposition to refuse to recognize either of the delegations party to the contest in the district of Columbia, and to leave the District without a vote in the convention. Such action, if taken by the

(Continued on Third Page.)

RIGGS BANK $5,000 NOT TO BE COVERED INTO U. S. TREASURY

Justice McCoy, in Opinion in Civil Suit, Continues Temporary Injunction.

SEES NO CONSPIRACY TO WRECK INSTITUTION

Holds Secretary McAdoo Has Right to Withdraw Government Deposits.

WILL NOT ENJOIN CONTROLLER

Court Says There Is No Threat at This Time to Assess Penalties, But Such Intention Has Been Disclaimed.

Justice McCoy of the District Supreme Court today rendered an opinion in the civil suit of the Riggs National Bank against John Skelton Williams, controller of the currency; William G. McAdoo, Secretary of the Treasury, and John Burke, treasurer of the United States. The case was submitted to the court May 21, 1915.

Some points are decided in favor of the plaintiffs and some are decided in favor of the defendants. The decision awards the bank continuance of the temporary injunction to prevent the $5,000 due it as interest on bonds from being covered into the Treasury as a penalty sought to be imposed by the Treasury officials and to prevent the assessment of penalties against the bank for failure to comply with demands of Controller Williams for special reports.

In all other particulars the bill is to be dismissed as to all the defendants.

No Pending Penalties.

"No preliminary relief," says Justice McCoy, "will be granted against the controller, as he is not threatening at this time to assess any penalties and has disclaimed any intention of doing so. The temporary injunction restraining the payment of $5,000 due for interest into the Treasury will be continued, but not as to the controller of the currency, as he has no control over that matter."

The opinion sustains the right of the controller under section 5211 to call for special reports and exonerates Secretary McAdoo and Controller Williams of the charge of conspiracy to ruin the business of the bank.

Doesn't Enjoin Conspiracies.

Justice McCoy points out that courts of equity do not enjoin conspiracies, but only the doing of acts in pursuance, and that therefore the Secretary of the Treasury cannot be enjoined even though a conspiracy is alleged because the only official act done by him consists of the withdrawal of deposits of government money from the bank and the statement that he would no longer make such deposits.

This decision by Secretary McAdoo, the court points out, is absolutely beyond the control of the courts because there is no law requiring the Secretary to make any deposits with the plaintiff nor to leave them there after they have been made. It is next stated that there is no basis for a charge of conspiracy against the Secretary because of the withholding of the payment of interest for the reason that the Secretary has no right to inquire into the invalidity of the assessment made by the controller. The court decides that the assessment was not rightly made the Secretary will have a mere ministerial duty to perform in paying the interest.

Defines Joint Conspiracy.

Speaking generally of the joining of persons as officials in suits against them based on charges of conspiracy the rule is laid down that where the act sought to be accomplished by an alleged conspiracy is not in itself an official act, and where the persons said to be endeavoring to accomplish the object of the alleged conspiracy are acting in an official capacity only, each one having official duties which he alone can perform, the performance of which is not under the control of the other, they should not be joined as officials in one action as conspirators. The law imposes upon them a duty to act. If they act within their powers their motives cannot be questioned. If each is undertaking to act without authority he can be restrained in a separate suit and his motives make no difference.

The opinion next takes up the charge that the Secretary of the Treasury induced the Secretary of War to withdraw from the plaintiff bank deposits of Panama canal funds and points out that the withdrawal of these funds was within the exclusive jurisdiction of the Secretary of War. It then calls attention to the fact that the satement that the withdrawal of government deposits and the withholding of the deposits of money collected as taxes in the District of Columbia and the efforts to induce the withdrawal of the Panama deposits occurred at a time when the war in Europe had resulted in closing the public exchanges throughout the United States is shown by the bill not to be true, for the reason that the bill alleges that money collected in payment of taxes in the District is distributed among the banks in May; that the bank was discontinued as a depository of public moneys on July 1, and that the efforts to induce withdrawals of Panama funds began before July 1, whereas the war did not begin until about the 1st of August.

Considers Charges Against McAdoo.

Closing the consideration of the charges of conspiracy against the Sec-