

URGE POTTS APPEAL TO END 'PLUCKING'

Navy Men and Friends at Capital Advise Retired Captain to Go Direct to Congress.

LAW ALREADY OFFENSIVE

The Captain Visits the Navy Department to Get His Record—His Plans Still Uncertain.

Special to The New York Times.

WASHINGTON, July 8.—Capt. Temple M. Potts, U. S. N., recently commander of the battleship Louisiana, arrived in Washington to-day and went to the Navy Department to obtain copies of his official record as a first step in the fight he is expected to make to overturn the action of the "plucking" board in directing his retirement from active service. There is a widespread feeling in naval circles that Capt. Potts has a good case and much sympathy is expressed for him.

To reporters who saw him at the Navy Department Capt. Potts said that his future course had not yet been determined. He said he had not chosen any attorneys to represent him and did not know whether he would go to the courts for redress or not.

Capt. Potts assumed command of the Louisiana in June, but retained his residence in this city. There to-day he received many old friends, who expressed their indignation at the action of the "plucking" board in retiring him while he was trying to comply with the order of the Secretary of the Navy to serve half the time of his grade as a condition precedent to promotion to the rank of Rear Admiral.

Capt. Potts was entitled to promotion on March 26, when the retirement of Rear Admiral Merts for age created a vacancy. He had passed his physical and professional examination, but his promotion was held up by Secretary Daniels and an order was promulgated that no officer could be promoted unless he had spent half the time of his grade at sea. A nice legal point is involved in this order. Some lawyers doubt the authority of the Secretary and the President to make or enforce it.

The whole situation, however, is clouded by the question whether Capt. Potts can obtain any legal redress. The lawyers of the Navy Department to-day advised Capt. Potts to take his case to Congress, where he is supposed to have a large number of sympathizers.

The defense made by the "plucking" board for its action is that the law required that five Captains should be retired and the board was forced to retire officers whose service records were flawless. This was the case with Capt. John M. Elliott, commander of the Maryland, who was retired at the same time with Capt. Potts. There was not a mark against either officer, it is said.

But for the issue of the order requiring sea service, Capt. Potts would have been a Rear Admiral when the board met, and so under the terms of the law would have been beyond its reach.

There is a strong feeling among navy officers that if Capt. Potts appeals to Congress it will result in the repeal of the law. Feeling against the statute has been very keen recently, and this has been greatly increased by the summary retirement of Capt. Potts.