

to Fort Grant, which is practically an abandoned post, and Senator Rayner introduced his resolution at the request of Colonel Stewart's friends. The following report of Senator Rayner's speech in the senate was taken from the Denver News:

Saying a commission had been sent to Colonel Stewart informing him that improvements would be made in the sanitary conditions of Fort Grant if he desired, Rayner added: "The same sort of communication passed to Dreyfus, I think. The charges against Colonel Stewart," said Rayner, "are frivolous and petty, and do not, in the slightest degree, reflect on his character as a man, his character as a citizen, or his courage as a soldier. One of them is that he has 'temperamental infirmities.' The president has come to the conclusion that Colonel Stewart is a man who wants to have his own way."

Colonel Stewart, he said, had his own ideas about his duty, and did not propose to be interfered with in the performance of his duties.

"This is a charge," declared Rayner, "not that Colonel Stewart makes against the president, but that the president makes against Colonel Stewart."

"He has not," continued Rayner, "the temperament of the president, that fine system of adjustment that always suggests restraint, calmness and moderation. Roosevelt thinks Colonel Stewart should yield as he, the president, has done on similar occasions. It is known that the president never indulges in forcible and vehement excision, either in oral or written communications, that he is free from many of the faults of the race, and that he has given us the most serene and placid presidential epoch we have ever been blessed with."

Rayner read his letter to the president, stating his purpose to introduce in the senate a resolution demanding an inquiry into the Stewart case, and then read the president's reply, interpolating his own comments on the president's words as he went along.

"At present I do not see how a court of inquiry could be of use," the president stated in his letter, "as I do not see how any court could express an opinion which I could pay more heed to than the judgment of Grant, Murray, Duvall and Davis, on whose judgment I have acted."

Rayner paused in the reading to declare that with a single exception these officers named by the president had been promoted over the head of Colonel Stewart to the positions they now occupy.

"Is Without Parallel" Continuing, he read the president's letter, saying the charges against Colonel Stewart already had been established and he did not see what more a court of inquiry could do.

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"This," exclaimed Rayner, "is the president's interpretation of his constitutional prerogative. It has never been paralleled in the military record of American history."

The president's letter to Rayner stated, however, that he would give further consideration to the senator's demand for a court of inquiry, and added that this was one of the many cases of "contentious" officers demanding courts of inquiry, to grant which would destroy the discipline of the army. The president said that he did not understand Rayner's allusion to a joint resolution of congress.

"I advised him to consult his attorney general, but I do not suppose he could throw much light on it, either," interposed Rayner, amid laughter.

#### Has Right to Inquiry

Rayner discussed, from a legal point of view, precedents for congress ordering courts of inquiry—particularly the cases of General Howard and Admiral Schley. Taking up the point as to what constituted courts of inquiry, the senator said the authorities were all against the president having the slightest right to punish an officer without a court, and no commanding general had such right. He declared that the president was determined to keep Colonel Stewart in exile for three years, when he would be retired on account of age, and he added:

"The president says to him, 'Stay there or surrender and retire.' No such edict was ever contemplated even in the imperial armies of continental Europe."

The senator reviewed again the conditions of Colonel Stewart's exile, and said:

"It makes my blood boil to fever heat to hear the president announce such an outrage against any man. If the man is guilty he should be convicted, if innocent he should be acquitted; in any event he should be tried."

In an "aside" the senator said: "And why is he treated in this manner? Because he got into a quarrel with a plumber. Quarrel with a plumber, indeed."

"How many quarrels do you suppose the president has had with plumbers and everybody else? Suppose the president should be sent to a place like that for every quarrel he gets into?"

#### Quarrel With Plumber

Rayner read the Colonel Stewart letter from Fort Grant to the war department, in which the officer declared that for four months he had no companionship except that of a caretaker and teamster, the former an invalid; that the building in which he lived was not heated properly; that snow and sleet found their way through cracks and that there were no sanitary conveniences.

Upon the conclusion of the president's letter, Rayner agreed to call his resolution tomorrow for action by the senate, Warren indicating that he desired to have it referred to the committee on military affairs.

The president's letter to Senator Rayner covers nine typewritten pages and for the most part is a review of Colonel Stewart's quarrel with officers under him and with citizens in the neighborhood or posts where he has been assigned. His conduct is condemned by the president in the severest language as unfitting him for any command, particularly for the rank of brigadier general, which the president declares to be Stewart's aim. The president calls Stewart "a nuisance."

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