

---

## Statement to the Press about Judge Peter S. Grosscup (February 4, 1898)

Judge Grosscup says that “not one of the men identified with the great ARU strike will admit that he wasn’t misled.”<sup>1</sup> I brand that statement as an absolute falsehood. I challenge him to produce one man who will make statement. For every one making such a statement he will produce, I will line up 500 who declare exactly the opposite. I have never seen one who will admit this. I have seen hundreds of them — some in rags since that strike ended — and not one of them believes that he was wrong. Many of them are tramping in the United States today, but they sill declare that they were in the right.

If Debs and his followers were guilty, why did not Judge Grosscup see to it that the trial was continued and a verdict rendered?

During the trial George M. Pullman was cited by the court to appear to give testimony, and he deliberately attached his private car to an east-bound train and went to New York. In his interview Judge Grosscup failed to explain why Mr. Pullman, who was, to say the least, equally guilty with me in contempt of court, was not committed to jail. The difference between Mr. Pullman and myself was simply a matter of some \$20 million. Judge Grosscup says I do not properly represent organized labor. If he will take time enough to make the inquiry, he’ll find that of all the men who do not represent organized labor, the average federal judge heads the procession.

If there has been a public functionary who has been the potent factor of the money power in the reduction of the common people to helpless and hopeless slavery, it is Judge Grosscup and Judge Grosscup’s honored phrases in the allusion to organized labor will not alter the verdict.

There are such notable exceptions as Judge Caldwell, who has not used his high office at the behest of corporate capital for the subjugation and degradation of labor, organized and otherwise.

Thomas Jefferson’s predictions were prophetic. He declared that the federal judiciary consists of a corps of sappers and miners who would undermine the foundations of free institutions and that this department of our

government contained the germs of dissolution of the American democracy.<sup>2</sup>

The chief essential of a federal judge is his ability and will to serve corporate power, as instanced in the naming of Attorney General McKenna<sup>3</sup> as the successor of Justice Field<sup>4</sup> on the supreme bench. The Supreme Court of the United States has usurped the legislative functions of the government and has power greater than any other judicial tribunal on this planet and which power is almost invariably exercised in the interests of entrenched capital and at the expense of free institutions and popular rights.

Published in *Topeka State Journal*, Feb. 4, 1898, pg. 6.

---

<sup>1</sup> This statement was made to a reporter of the *Topeka State Journal* in response to a statement made by Judge Peter S. Grosscup (1852-1921) to the paper when he was in town on January 27 to speak to the Kansas state bar association. Debs's double negative here is garbled, Grosscup actually said "The men who participated in the great strike of 1894 now realize that they were misled. Not a single one of them will now refuse to admit that he was wrong. They followed an agitator and failed."

<sup>2</sup> In his Dec. 25, 1820 letter to Thomas Ritchie, Jefferson used this phrase in a somewhat different context, writing: "The judiciary of the United States is the subtle corps of sappers and miners constantly working under ground to undermine the foundations of our confederated fabric. They are construing our constitution from a coordination of a general and special government to a general and supreme one alone."

<sup>3</sup> Joseph McKenna (1843-1926) was a former Republican Congressman from California and Attorney General under William McKinley who was appointed to the Supreme Court in January 1898.

<sup>4</sup> Stephen Field (1816-1899), a Democrat, was a member of the Supreme Court from 1863 until his retirement late in 1897.