

**THE GOVERNMENT IN THE  
CHICAGO STRIKE OF 1894**

**BY**  
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*D.C.*

transcended my authority nor duty in the emergency that confronts us, it seems to me that in this hour of danger and public distress, discussion may well give way to active efforts on the part of all in authority to restore obedience to law and to protect life and property.

GROVER CLEVELAND.

HON. JOHN P. ALTGELD,  
*Governor of Illinois.*

This closed a discussion which in its net results demonstrated how far one's disposition and inclination will lead him astray in the field of argument.

I shall conclude the treatment of my subject by a brief reference to the legal proceedings which grew out of this disturbance, and finally led to an adjudication by the highest court in our land, establishing in an absolutely authoritative manner and for all time the power of the national Government to protect itself in the exercise of its functions.

It will be recalled that in the course of our

narrative we left Mr. Debs, the president of the Railway Union, and his three associates in custody of the law, on the seventeenth day of July, awaiting an investigation of the charge of contempt of court made against them, based upon their disobedience of the writs of injunction forbidding them to do certain things in aid or encouragement of interference with mail transportation or interstate commerce.

This investigation was so long delayed that the decision of the Circuit Court before which the proceedings were pending was not rendered until the fourteenth day of December, 1894. On that date the court delivered an able and carefully considered decision finding Debs and his associates guilty of contempt of court, basing its decision upon the provisions of the law of Congress, passed in 1890, entitled: "An act to protect trade and commerce against unlawful restraint and monopolies"; sometimes called the Sherman Anti-Trust Law. Thereupon the parties were sentenced on said conviction to confinement in the county jail for

terms varying from three to six months. Afterward, and on the 14th day of January, 1895, the prisoners applied to the Supreme Court of the United States for a writ of habeas corpus to relieve them from imprisonment, on the ground that the facts found against them by the Circuit Court did not constitute disobedience of the writs of injunction and that their commitment in the manner and for the reasons alleged was without justification and not within the constitutional power and jurisdiction of that tribunal.

On this application, the case was elaborately argued before the Supreme Court in March, 1895; and on the twenty-seventh day of May, 1895, the court rendered its decision, upholding on the broadest grounds the proceedings of the Circuit Court and confirming its adjudication and the commitment to jail of the petitioners thereupon.

Justice Brewer, in delivering the unanimous opinion of the Supreme Court, stated the case as follows:

The United States, finding that the interstate transportation of persons and property, as well as the carriage of mails, is forcibly obstructed, and that a combination and conspiracy exists to subject the control of such transportation to the will of the conspirators, applied to one of their courts sitting as a court of equity, for an injunction to restrain such obstructions and prevent carrying into effect such conspiracy. Two questions of importance are presented: First, are the relations of the general Government to interstate commerce and the transportation of the mails such as to authorize a direct interference to prevent a forcible obstruction thereof? Second, if authority exists,—as authority in governmental affairs implies both power and duty,—has a court of equity jurisdiction to issue an injunction in aid of the performance of such duty?

Both of these questions were answered by the court in the affirmative; and in the opinion read by the learned justice, the inherent power of the Government to execute the powers and functions belonging to it by means of physical

force through its official agents, and on every foot of American soil, was amply vindicated by a process of reasoning simple, logical, unhampered by fanciful distinctions, and absolutely conclusive; and the Government's peaceful resort to the court, the injunction issued in its aid, and all the proceedings thereon, including the imprisonment of Debs and his associates, were fully approved.

Thus the Supreme Court of the United States has written the closing words of this history, tragical in many of its details, and in every line provoking sober reflection. As we gratefully turn its concluding page, those who were most nearly related by executive responsibility to the troublous days whose story is told may well especially congratulate themselves on the part which fell to them in marking out the way and clearing the path, now unchangeably established, which shall hereafter guide our nation safely and surely in the exercise of the important functions which represent the people's trust.