
Letter to Fred D. Warren in Girard, KS from Eugene V. Debs in Terre Haute, IN, circa June 8, 1909.

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Comrade Debs was called to the bedside of a dying sister in Terre Haute 2 weeks ago. The loved one passed away 2 days after Gene’s arrival. † Since that time our loyal comrade has been bowed down with grief and with the duties imposed in laying to rest the remains of one who had for so many years stood by him in his fight against injustice and oppression. On receiving the telegram from Washington printed in last week’s *Appeal* ‡ I wired Comrade Debs and below I print his reply:

My Dear Fred:

Your telegram came yesterday. I would have answered sooner but pressing duties prevented. I do not think the suit will be brought against Wayland and myself, but I am half inclined to wish that it might. I do not shrink from it in the least so far as I am concerned. We have written only the truth, or rather, but a small part of the truth, and we have nothing to take back. If the action is brought the only question in my mind is whether

I will attempt any legal defense. I am inclined, if arraigned, to plead not guilty and refuse to be represented by legal counsel. That kind of a defense in a capitalist court is a waste of money and a farce. However, we will talk about that when I get back which will be as soon as I can get things in order here.

As for having libeled the marshall that is uproariously funny. If he brings that action I will give him his money’s worth. I already know a good deal about him and his record and I have it very straight. I will make it my business to get the rest if he opens fire. My only concern in the case is *The Appeal*. For myself I do not care. I know they can send me to the pen if they want to, but that will matter very little. We are in this fight and it is just beginning and some of us will have to go and it might as well be myself as anybody else. But I am thinking about what effect it will have on *The Appeal*? I believe it cannot be otherwise than good. The only consideration with the administration and its corporation supporters is the breaking of *The Appeal* and I’ll stake anything I have that they can not do it. If the government

†- Reference is to Debs’ sister Eugenia Debs Selby, who died May 25, 1909.

‡- The telegram from Washington in question was splashed in large red type on page 1 above the fold of the June 5, 1909 issue of *The Appeal to Reason*. It read in full: “THE GOVERNMENT TO ARREST WAYLAND AND DEBS. By telegraph to The Appeal to Reason. Washington, DC, May 29.— District Attorney Bone of Topeka and United States Marshal Maxey of the same place, are in Washington this week in conference with the Attorney General of the United States and his assistants. These gentlemen are considering the advisability of instituting criminal libel proceedings against Eugene V. Debs and a civil criminal suit against J.A. Wayland of *The Appeal to Reason*. The grounds for these suits will be the statements made in *The Appeal to Reason* of May 15th [1909] to the effect that the United States Marshal had selected a jury of Republicans in the Warren case. Maxey’s defense will be that he had nothing whatever to do with the selection of this jury — that the work was done by his deputies. Assistant Attorney General Lawler, formerly of Los Angeles, is taking quite an active part in the conference. Lawler is still smarting under *The Appeal*’s exposure of the methods employed by him in connection with the cases of the Mexican patriots and is determined to get revenge. I get this information from a man in the service of the government who knows whereof he speaks. He explained to me today that this administration, as well as is the Roosevelt administration “is sore” over the exposures contained in the “Appeal to Treason” and that this is now to be a fight to the finish. While it is admitted that there are no grounds whatever on which to institute these proceedings, as was the case with Warren, the object is to involve *The Appeal* in court expenses to such an extent that it will be forced to suspend. —McIntosh.”

brings these suits *The Appeal* will gain more than it will lose. In any event *The Appeal* will grow bigger and stronger and this being true we can stand the rest. If they open fire we will have our chance.

Wickersham and the higher government officials are too shrewd to bring suit in their own names. They will back it and use Mackey as their goat. Let them come! Without personal boasting if I could meet them on equal ground with 10,000 of the common people as a jury I would clean out the last bunch to the last pin feather in about 20 minutes. I will be with you soon and then we will clean the deck for action. Best love to you all. †

†- No action was ultimately brought against Debs and Wayland in this matter, although Fred Warren ended up serving 6 months in prison and paying a \$1,500 fine for his mailing an offer to pay a reward to kidnap and return to justice the former governor Taylor of Kentucky, who was under indictment for murder in that state and a fugitive from justice.

Edited with footnotes by Tim Davenport.

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