

Herndon Case Alarms Many At AFL Parley

Delegates See Danger to All Unionists in Vicious Decision

By HOWARD RUSHMORE

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—The refusal of the United States Supreme Court to grant Angelo Herndon a re-trial gives the State of Georgia legislature power to use the antiquated insurrection law, on which he was convicted, not only against Communists but against progressive labor parties and bodies of all types.

Many of the 500 delegates assembled here for the 55th annual convention of the American Federation of Labor realize that fact. Condemnation of the Supreme Court and hearty sympathy with the young Negro labor leader can be heard from all sides.

"That insurrection law in Georgia is like the criminal syndicalist law we have out in California," George Ernst of the California State Federation of Labor told me. "In both states it has been used the same way—to put organizers of the working class behind the bars.

"All such laws should be abolished," Ernst stated emphatically.

Reid Robinson of Butte, Montana, president of the Mine Workers' local there, agreed with Ernst. "Laws under which Herndon was convicted," he said, "serve to put out best leaders in jail. They should be repealed at once, and the victims set free."

"How can we call ourselves a progressive and civilized nation when such laws exist," Waldo Merritt, Negro delegate of the Mounds Creek, Pa., Cement and Mill Workers' Union wanted to know. Paul Peterson, member of the Utah State Legislature and delegate to the convention, voiced disapproval of the law and pointed out its anti-union dangers.

"We've got to make a nationwide demand for Herndon's freedom, and to repeal the insurrection law," Emil Costello, Wisconsin delegate, told me. "The kid is entirely innocent, I believe, and there will be lots of A. F. of L. organizers on the same chain-gangs unless the trade unions throughout the country demand that such laws be stricken from the book."

He further stated that all organizations should swing behind a mighty drive and unite in a common front against such fascist laws. Maxine Makman, member of the Office Workers' Union of Cleveland, thought that other states might follow Georgia's example and find similar laws to use against labor leaders.

James Carey, young president of the National and Allied Trades, summed up the opinions in a concise statement. "While such laws as the Georgia insurrection law exist," he declared, "labor will never have the power to organize freely and win demands to which it is entitled."