

CARTON 8:2

STRONG IN THE STRUGGLE

MANUSCRIPT DRAFTS, CHAPTER 8

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Chapter 8 / Trial of Andrew Steve Nelson

(Ver 2, 7/23/98)

In the Spring of 1956 the employers and the government got after us again to try to bust the union. This time Waterways Terminal company wanted to use outside men to bust the union. We had an inside gang and an outside gang. The inside gang was working at the Galvez Street Wharf and the outside gang worked at other places where the company had work. The outside gang wasn't regular work; it was part-time. We had union men doing the inside work. But these outside men wasn't in the union and the company tried to use them against us. These men wanted to come back to the Galvez Street Wharf and go ahead of regular union men with more seniority; they wanted their outside work to count towards seniority and the union said no. We said that if you gonna work on the Galvez Street Wharf while we got a contract you got to be in the union. It was a union job, but it wasn't a closed shop.

The company got one these men to bring charges against Local 207 at the National Labor Relations Board. Matter of fact, the company spearheaded it, cause he didn't know nothing about no Labor Relations Board. The company was doing this to break the union. The company wanted to use non-union workers. The company told those guys what to say, said the union threatened them because they wouldn't join the work stoppage back in 1955, which was a lie. We tried to explain to them that if you work inside you supposed to be in



the union like everybody else. Outside we give them a break, if there was work on the outside send them there to work. We did not threaten a slow-down or strike against no brothers, that was common sense.

In May the union wrote a response to the charges. We said we did not demand that the company stop hiring these men but that the company should live up to the seniority provisions of our contract.

The National Labor Relations Board subpoenaed me and the other unions officers in July, and I testified at about our case. I told them that we did not threaten or harass those men. We was trying to win them over to our side, cause they was still our brothers working on the job and wanted to try to get them to join the union to benefit their own selves.

Even so, the union lost the battle. The National Labor Relations Board ruled in favor of the outside men, that they could work at the Galvez Street Wharf.

We lost that battle but we didn't stop there. Certainly, the union wasn't going to take this decision lying down. We had a union agreement, a contract, but we needed to make it stronger. The president of the union and I got together and asked the National Labor Relations Board for an election, so we could have a closed union shop. The National Labor Board set a date for the election and came down to the dock and handled the election for the union.

Members voted by secret ballot. Two hundred men voted on the dock in favor of the closed shop, except two anti-union



workers, one black and one white. The company and the government wanted the workers fighting against each other, and they wanted to use those two to weaken the union. After that the men refused to work with those two men. Struggling to keep the union in the South active, we wasn't going to let two men split the union. Still, the company didn't want to get rid of the them. (For a time the company made the black worker some kind of watchman, a stool pigeon. Once he caught me drinking a beer and he tried to get me fired.)

After the election the National Labor Relations Board gave the union permission to place a bulletin board informing the men that they had thirty days to become union members. All the non-union members joined except the two anti-union men. Even a supervisor asked the two men to join the union, They still refused. According to the union agreement, the company was forced to take the two anti-union workers off the job. The rank and file finally won this struggle against the company. It was another victory for the union!

But at the same time it was becoming much harder for the union. A federal grand jury was investigating Andrew Steve Nelson under the Taft-Hartley law. I was very concerned about Brother Nelson. Not only was he president of Local 207, he was also a very good friend, including his family. Susie, his wife, and five children treated me as one of the family. Every Sunday I went to his home and had dinner. He was a good cook and would prepare different salads for me to eat. I ate



dinner with him and his children. Susie never had time to sit down and eat with us, but she would always be present and willing to help. After dinner, over a fifth of whisky, we discussed politics and important issues that confronted black people here in America and abroad.

Brother Nelson had wisdom and knowledge and a reputation for being fair-minded to both black and white workers. He often said, "We are the most oppressed people, more than any other people in the world, not because of any sin we have committed, but because of monopoly capitalism."

I sincerely trusted and had confidence in his ability to work for the good and welfare of his fellow workers at all times when it should be done. I learned a great deal about labor from him; he taught me like a teacher, teaching his pupil!

In May of 1956 we learned that Brother Nelson was being indicted. We read it in a newspaper report. The Federal Grand Jury indicted Brother Nelson and charged him with violating the Taft-Hartley law. They claimed he was a member of the Communist Party. He was charged on four counts of making a false affidavit of non-Communist membership and affiliation. Nelson was shocked and angry about this charge, because at the time they was talking about, 1952 and 1953, he was not a member of the Party. We had withdrawn our membership under the Taft-Hartley law.

Nelson's bail was \$10,000. Members of Local 207 and friends of different unions helped put up his bail money.



Brother Nelson pleaded not guilty. He was released on bail, and he was brought to trial in September.

Brother Nelson got our union lawyer, James McCain to represent him in the Federal Court. I was with him every day of his trial.

Brother Nelson suffered with asthma, and during his trial he had a serious attack. In court I sat close by and watched him suffer, and it hurt me to my heart that I wasn't able to do anything to ease his pain. The lawyer asked Judge Christenberry to give permission, so he could go to see a doctor for medicine and treatment. This racist judge refused. So I had to take him outside in the hall because he was gasping for air. I laid him on a long bench in the hallway of the court until he felt a little better.

I was Brother Nelson's security, seeing him back and forth to court and to his home. During the trial seeing my president, a good friend, being mistreated brought uncontrollable tears to my eyes and they ran down my cheeks.

Then, all of a sudden, I got angry with this whole evil capitalist system that preys on the black and poor people. I had seen Jim Crowism, segregation, and discrimination in action as well as hate. Then and there I made a pledge to myself that I would carry on, if President Nelson was defeated in this long and hard struggle. I would become a dedicated trade unionist by further sacrifice and putting my life on the line. During this trial I was being educated. I took a solemn oath: it was my responsibility and duty to help



educate the workers in the trade union and labor movement for complete freedom and a better way of life.

The majority of Local 207 members supported our president around his defense fund. We wasn't given too much time to set up a defense fund, because the court speeded up his trial, which lasted over September 4th, 5th and 6th.. Numbers of unions and friends came to his defense, including the International.

During the trial one of the witnesses for the government was a black man, named Arthur Eugene. He said that Nelson was a member of the Communist Party. Anything they would ask him he would agree. He was an agent for them, a stool pigeon, just like he was when he later testified against me at the Un-American Activities Committee. He used to be on a ship in the Marine Cooks and Stewards union, but they kicked him out. I reckon that's when he first turned out to be a stool pigeon. I met him back in the 40s at the union hall after they kicked him off the ship. He didn't have nowhere to go. He told me about his children, and I asked Lawrence Blanchard, the foreman at the docks, could he give him two-three days work to try to help him. I used to tell Mrs. Sims to give him a few dollars out of petty cash to buy some cigarettes. I tried to help him. He came to some of the Party meetings but I didn't see him too regular. He was probably snitching on me and Nelson then.

After he testified against me and Nelson I heard that his mother refused to let him come to her house, and his wife



said she didn't want to see him no more. They knew I tried to help him.

Maybe it should not be a shock when a person ain't got knowledge and understanding living in this goddamn system, but you got to be cautious, cautious.

Brother Nelson did not testify at the trial. James McCain, the lawyer, decided he was too sick to testify. McCain tried to get the judge to issue a directed verdict of not guilty. He said there was no clear criteria for membership in the Communist Party and that Andrew Nelson did not believe he was in the Party when he signed the affidavits. The lawyer also had documents showing that at least one of the government witnesses was a paid informer.

Of course, Brother Nelson continued struggling to survive to tell his side of the story, clinging to life but getting weaker and weaker with each passing day. He was an extraordinary man, with so much confidence in people. This was another reason I loved and respected him.

Finally the trial came to an end. The all white jury went into the jury room, stayed a few minutes, then returned with a verdict of guilty on all counts. Brother Nelson was released on \$7,500 bail but had to appear in court in a few weeks for sentencing.

When he came back for sentencing, he was given five years on each count running concurrent, which meant he would have to serve five years in a federal penitentiary. James McCain said he would appeal the case.



Shortly after the trial, due to his illness Brother Nelson collapsed and was rushed to the hospital in grave condition. Brother Peter Sheppard, second vice-president, and I, first vice-president of Local 207, kept in close contact with Brother Nelson's doctors so we could be well-informed about our president's condition.

From his sick bed Brother Nelson issued an open letter to the members of the union. It said: "I am not guilty of violating the Taft-Hartley Act, this is just another reactionary, anti-union attack against Local 207 and the International Longshoremen's and Warehousemen's Union as a whole, a part of the continuous attack against our International Union and me as an individual. [I] have been chosen as a victim only for the following reasons or causes: (1) because I am a Negro; (2) because I live in the deep South where the prejudices against rank and file unionism and the Negro people will lay the full basis for an easy frame-up in the District courts against the ILWU by an all white jury regardless of the circumstances. A jury that would be prejudiced against me or any member of the Negro race, or the ILWU, a jury not interested in the facts but a fifteen (15) minute verdict of guilty, regardless of the nature of the witnesses, stool-pigeons, paid informers, etc., and (3) a conviction, so long as the conviction was there to be used in furthering the attack against the International Union in its democratic rank and file policies.



"I am not a member of the Communist Party now, nor have I been a member of the Communist Party or affiliated with the Communist Party at any time since signing the Taft-Hartley non-communist affidavit as President of the International Longshoremen's and Warehousemen's Union, Local 207, nor have I been at any time since the early part of 1948. Neither have I been active in any of the affairs, and further have made no contribution to its activities, and the frame-up organized against me by the Justice Department thru paid Federal Bureau of Investigation stool-pigeons is in its entirety a pack of ungodly lies and to let them go unchallenged would be a crime against everything honest and decent. And therefore I appeal to you the members of my union, both Local and International, to assist me to the height of your ability in my appeal to prove this frame-up for what it really is, and as I have aforestated it to be a continuance of the false attacks and charges against our International Union as a whole, its locals and their membership. Thanking you in advance for your cooperation, I remain Fraternally Yours, Andrew Nelson, President Local 207 - ILWU."

In the meantime, I went before the Executive Board of our union and asked if Brother Nelson's salary as President could be continued, so his family could have money to survive and pay the notes on his home. The Executive Board approved continuing his salary. Brother Nelson's daughter, Elaine, came every Friday and picked up his check.



I knew I was next in line to be investigated and put on trial so Brother Peter Sheppard stepped up and took over as first vice president and I became second vice president of Local 207. With this method we kept the union functioning.

Brother Andrew Nelson lived about five months after his trial. He came home from the hospital, but he had to go back. He died on Saturday, January 21, 1957, about eight o'clock.

After I got over the shock, I started calling up our key members of the union and rank and file members, also many of his friends, and told them that Brother Andrew Nelson had passed on. Everyone I contacted was very sad and shocked to hear of his death, knowing so well how he fought for the rights of his people.

Brother Andrew Nelson was a true Marxist and Communist, informed and dedicated to change this system and transform it to socialism. At Brother Nelson's wake many members of unions and lots of friends and workers came to show their last respects. Each and every one of them was dedicated to the cause, both black and white, throughout the city of New Orleans.

Many different union members was present at his funeral. Brother Andrew Nelson was buried with honor and dignity. His denomination was Methodist. I spoke the last words over his body; that's the way he would have wanted it to be. "Brother Nelson was a citizen, fighter, husband, and teacher. He fought with his life in his hands."



Finally, his body was laid to rest in a grave site outside of New Orleans. In addition to all his friends who came for the services many telegrams came from as far as New York, Chicago and San Francisco, California. All the telegrams was given to me to deliver to his wife, Susie.

After the funeral, Susie asked if I would stay at the house with her and the children. I agreed. They didn't want to be left alone that night.

The next morning the union Secretary Treasurer, Mrs. Sims, came over to the house and also Brother Chester Langer, who was Brother Andrew's Worship Master from his Lodge. We gathered around the family and discussed their economic situation with them and how to work it out for the best. We stayed with our late president's family all the way.

Now I will close on the activities of the late Brother Andrew Nelson. He will live forever in my mind and in my heart as a true brother in the struggle.



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CHAPTER EIGHT



## Chapter 8 / Trial

*explain  
context  
background*

In July 1956 I received a subpoena to appear before the National Labor Relations Board, as follows:

Request therefore having been duly made by Jerry B. Stone, counsel for General Counsel, National Labor Relations Board, whose address is 2026 St. Charles Ave., New Orleans, Louisiana,

You are hereby required and directed to appear before a trial examiner of the National Labor Relations Board, Hearing Room 820 Lowich Building 2026 St. Charles Ave. in the city of New Orleans, Louisiana on the 24th day of July, 1956, at ten o'clock a.m. of that day, to testify in the matter of the Warehouse & Distribution Workers' Union, Local 207, of the International Longshoremen's and Warehousemen's Union and Mitchell Pierce, an individual, and Waterway Terminals Corp. Cases No. 15-CB-160 and 15-CA-882.

In testimony whereof the seal of the National Labor Relations Board is affixed hereto and the undersigned, a member of said National Labor Relations Board, has hereunto set his hand at New Orleans, Louisiana, this 9th day of July, 1956.

*How he  
responded*

Then I was subpoenaed for the second time. The nature of these subpoenas: eleven workers were bringing suit against the union. The following is the union's response to their suit:

*why?*

National Labor Relations Board  
15th Region-820 Lowich Building  
2026 St. Charles Avenue  
New Orleans, Louisiana

May 17, 1956

Re: Mitchell Pierce vs. Warehouse & Distribution Workers' Union, Local 207 - ILWU, Case 15-CB-160



2.

The respondent is a labor organization within the meaning of Section 25 and 8(B) of the Act.

3.

The individuals listed below are officers of Local 207 - ILWU within the meaning of Section 213 and 8(B) of the Act.

Andrew Nelson, President

Lee Brown, 1st Vice-President and Committeeman

Peter Sheppard, Jr., 2nd Vice-Pres. & Committeeman

Earl Thomas, Committeeman and/or Dock Steward

4.

The respondent union did not through its officers and agents demand the respondent employer to refrain from hiring for working the employee named below. The Shop Committee only brought to the attention of the respondent employer's representative that they should live up to the seniority provisions of the agreement and to my knowledge there was no threat of work stoppage, slow-down or strike action against the respondent employer's employee, the eleven individuals listed below were hired for work at the Terminal, persons in question: (names withheld)

5.

The statement that the union engaged in the acts described in paragraph 4 above, because of its knowledge and belief of the employees named, refused to engage in a work stoppage and strike against the respondent employer while employed at its Harahan Warehouse in November of 1955 in support of a strike by the respondent union against the respondent employees is untrue, as the efforts of the union were to see to it that the seniority provisions of the contract be lived up to.

6.

The union did not make demands or threats as described in paragraph 4 and 5 or the respondent employer's general foreman, Lawrence Blanchard, and clerk, Joseph Rocco, according to my knowledge.



7.

The respondent employer, to my knowledge, did not receive demands from the union to not employ at the Galvez Street Wharf operation, because of demands of respondent union, because any demand from respondent union to discontinue employment of any employee according to the contract is made in writing.

8.

The respondent union by its officers and agents aid not threaten employees of the respondent employer with loss of employment, discriminatory conditions of work, or other reprisal because they refrained from engaging in work stoppage, strike or other activities in behalf of the respondent union.

9.

The union takes exception to paragraph 9 because of the fact that requesting the employer to live up to the terms of the agreement with reference to seniority cannot be termed " unfair labor practice", unless within the meaning of 8(B) and 1 (a), and Sections (2) (6) ( 7) of the act seniority is an unlawful labor contract.

Clearly, those workers weren't working at the dock. They were outside gangs who wanted seniority both outside and inside the dock at Galvez Street Wharf. They wanted to work ahead of men who were regular workers at the wharf. With that method men with less seniority would be laid off.

*explain  
who were  
they?*

Even so, the union lost the battle. The National Labor Relations Board, the companies, and the government agents wanted the workers fighting against each other. So, the decision was ruled in favor of nine men.

*clarity*



Certainly, the union representative wasn't going to take this decision lying down. Struggling to keep the union in the South active, our lives were in danger at all times. To let nine men split the union, the president of the union refused to settle the case by a decision of the Local Executive Board. This case went on and on as it should have. Meanwhile those two anti-union workers, one Black man and one white man, refused to join the union.

explain

We had a union agreement, a contract. The president of the union and I got together and asked the National Labor Relations Board for an election, so we could have a union shop. The union shop was grand (?); and, the National Labor Board set a date for the election and came down to the dock and handled the election for the union,

where?

Members voted by secret ballot, except the two anti-union workers. The men refused to work with the two. Still, the company didn't want to get rid of the two men. Two hundred men voted by secret ballot on the dock in favor of the union shop, excepting five men,

The National Labor Relations Board gave the union permission to place a bulletin board informing the men that they had thirty days to become union members. The non-union members joined except the two. Even the supervisors asked the two men to join the union. They still refused. According to the union agreement, the company was forced to take the two anti-union workers off the job. The rank and file finally won this struggle against the company; another victory for the union!

what company



Unquestionably, not only was Brother Andrew Nelson President of Local 207, he was also a very good friend, including his family. Susie, his wife, and five children treated me as one of the family. Every Sunday I went to his home and had dinner. He was a good cook and would prepare different salads for me to eat. I ate dinner with him and his children. Susie never had time to sit down and eat with us, but she would always be present and willing to help. After dinner, over a fifth of whisky, we discussed politics and important issues that confronted Black people here in America and abroad.

Brother Andrew Nelson had wisdom and knowledge and a reputation for being fair-minded to both Black and white workers. Brother Nelson often said, "We are the most oppressed people, more than any other people in the world, not because of any sin we have committed, but because of monopoly capitalism."

I sincerely trusted and had confidence in his ability to work for the good and welfare of his fellow workers at all times when it should be done. I learned a great deal about labor from him; he taught me like a teacher, teaching his pupil!

I was with Brother Nelson during the time of his trial in New Orleans in the year 1956.

Brother Nelson was indicted under the Taft-Hartley law which is the National Labor Relations Act. A Federal Grand Jury indicted Brother Nelson and charged him with conspiracy. The Grand Jury claimed he was a member of the Communist Party. He was charged on two counts: membership and affiliation, and he was brought to trial the same year. His bail was \$10,000. Members of Local 207 and



friends of different unions helped put up his bail money. Brother Nelson pleaded not guilty. He was released on bail to face trial.

Brother Nelson got a union lawyer to represent him in the Federal Court. I was with him every day of his trial.

Brother Nelson suffered with asthma, and during his trial he had a serious attack. The lawyer asked the judge to give permission, so he could go to see a doctor for medicine and treatment. This judge was, in my opinion, a racist ~~anti-union, anti-communist, and anti-Black~~; he refused.

Meanwhile, in court I sat close by and watched him suffer and it hurt me to my heart that I wasn't able to do anything to ease his pain. Sometimes I had to take him outside in the hall because he was gasping for air. I laid him on a long bench in the hallway of the court until he felt a little better. I was Brother Nelson's security, seeing him back and forth to court and to his home. During the trial seeing my president, a good friend, being mistreated brought uncontrollable tears to my eyes and they ran down my cheeks.

Then, all of a sudden, I got angry with this whole evil capitalist system that preys on the Black and poor people. I had seen Jim Crowism, segregation, and discrimination in action as well as hate. Then and there I made a pledge to myself that I would carry on, if President Nelson was defeated in this long and hard struggle. I would become a dedicated trade unionist by further sacrifice and putting my life on the line. During this trial I was being educated. I took a solemn oath: it was my responsibility and duty to help educate the workers in the trade union and labor movement for complete freedom and a better way of life.



The majority of Local 207 members supported our president around his defense fund. We weren't given too much time to set up a defense fund, because the court speeded up his trial, which lasted about five days. Numbers of unions and friends came to his defense, including the International.

The trial continued until it went to the jurors. Brother Nelson had a good defense attorney, in my opinion, one of the best in the South.

During the trial the key witness for the State was a Black man, named Arthur Eugene. (WHAT DID HE TESTIFY?)

Of course, Brother Andrew Nelson continued struggling to survive to tell his side of the story, clinging to life but becoming weaker and weaker with each passing day. He was an extraordinary man, with so much confidence in people. This was another reason I loved and respected him.

Finally the trial came to an end. The jury went into the jury room, stayed about 45 minutes, then returned with a verdict of guilty verdict on all counts. He was still released on bail but had to appear in court two weeks later for sentencing. When he came back for sentencing, he was given ten years running concurrent, which meant he would have to serve five years in a federal penitentiary.

The authorities didn't consider the facts, Brother Nelson withdrew his membership from the Communist Party. So did I and hundreds more who had joined the Party; all this was occasioned by the Taft-Hartley Law. Still, they convicted him on charges which weren't true. The main purpose and driving force of the reactionaries

who?  
what did  
he testify?



Packinghouse Workers Union and lots of friends and workers came to show their last respects. Each and every one of them were dedicated to the cause, both Black and white, throughout the city of New Orleans, including the Secretary Treasurer and friends. Brother Andrew Nelson's denomination was Methodist.

Other different union members were present at his funeral. Brother Andrew Nelson was buried with honor and dignity. I spoke the last words over his body; that's the way he would have wanted it to be. "Brother Nelson was a citizen, fighter, husband, and teacher. He fought with his life in his hands."

Finally, his body was laid to rest in a grave site outside of New Orleans. In addition to all his friends who came for the services many telegrams were sent from as far as New York, Chicago and San Francisco, California. All the telegrams were given to me to deliver to his wife, Susie.

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The next morning the Secretary Treasurer, Miss Sims, came over to the house and also Brother Chester Langer, who was Brother Andrew's Worship Master from his Lodge. We gathered around the family and discussed their economic situation with them and how to work it out for the best. We stayed with our late president's family all the way.

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