

HE MUST BE SAVED!



Angelo Herndon

Greatest Fight to Free Herndon Has Begun

By Cyril Briggs

The United States Supreme Court has decreed that Angelo Herndon, 20-year old Negro labor leader, shall be broken on the Georgia chain gang—his courageous spirit crushed, his young body maimed, the life tortured out of him.

Let no one be deceived. That is the true meaning of the outrageous ruling of the Federal tribunal in refusing to review the barbarous decision of an Atlanta, Ga., court, sentencing Herndon to 18-20 years on the chain gang.

It is a new Dred Scott decision, upholding the white rulers of Georgia in their enslavement and plundering of the Negro people.

Unless the toiling masses of America stop them, the Georgia ruling class and the American Goering, the Rev. John Hudson, Assistant Solicitor General of Atlanta, will wreak a bloody vengeance on this heroic youth, this "hardened revolutionist who dares defy us," (Hudson), who dared to speak up in that Atlanta court in January, 1933, for the doubly oppressed Negro people and the exploited white toilers.

Crime: Organizing Workers

Herndon's crime? He organized Negro and white workers together. And that in itself is a crime in the eyes of a ruling class which seeks by hook or crook to prevent unity among its victims.

He led a demonstration of unemployed Negro and white workers to protest the cutting off of relief. And that is a crime in the eyes of a ruling class which seeks to shift the entire burden of the breakdown and crisis of capitalism onto the backs of the toilers, white and black. The demonstration was successful. It forced the City Fathers of Atlanta to shell out the sum of \$6,000 for relief appropriations on the day after the demonstration, although on the previous day they had said they had no funds for relief.

A Charge Is Found

One week after the demonstration, Herndon was arrested while walking out of the post office. For eleven days he was held incommunicado, grilled, third-degreed, tortured, with no charge against him. At the end of the eleven days, the Solicitor General's office found a charge—"inciting to insurrection," under the provisions of a law which had its origin in a statute passed in 1804 designed to prevent and punish slave insurrections.

Herndon, held in jail incommunicado from July 11, 1932, was indicted on July 22 for attempting on July 16 to "incite to insurrection."

On July 16 he was in jail as he had been for several days before.

This, however, did not prevent an all-white Atlanta jury from finding Herndon "guilty" of "inciting to insurrection" on July 16. Under the Georgia slave insurrection law, the punishment for advocating overthrow of the rule of the landlords and capitalists is death, or if the jury recommends mercy, imprisonment for five to twenty years. In Herndon's case the jury recommended "mercy" and the court imposed the sentence of 18 to 20 years under the horrible torture of the chain gang.

Death Was Demanded

The Rev. Hudson, who led the prosecution of Herndon, had demanded death for the heroic young Negro organizer. Hudson's prototype, General Goering, of Nazi Germany, had similarly demanded death for the framed Reichstag defendants.

The protests of the international working class defeated the demands for the legal murder of the defendants in both cases.

The international working class can and must rescue heroic Angelo Herndon from the living hell of a Georgia chain gang.

A powerful united front movement has already been forged around the Herndon case. The recent efforts of the International Labor Defense to have the case reviewed by the U. S. Supreme Court was backed by the National Association for the Advancement of Colored People, the National Bar Association, the American Civil Liberties Union, the Church League for Industrial Democracy, the Methodist Federation for Social Service, the Justice Commission of the Central Conference of American Rabbis.

United Defense

The Socialist Party is also supporting the fight for Herndon, thereby demonstrating the power of the Negro liberation movement to give impetus to the forging of the united front of Communist, Socialist and non-Party workers

Herndon Case Alarms Many At AFL Parley

Delegates See Danger to All Unionists in Vicious Decision

By HOWARD RUSHMORE

ATLANTIC CITY, N. J., Oct. 16.

—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,' Ernest 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."

against the rising tide of fascism in this country.

The U. S. Supreme Court has decided against Herndon and the struggles of the Negro people and white workers which he represents. But the final decision rests with the American people. Angelo Herndon must be saved from horrible torture and death on the chain gang.

We must flood Gov. Talmadge, Atlanta, Ga., with letters and resolutions demanding an immediate pardon for Herndon! We must speed up the campaign for 2,000 signatures to the petitions demanding Herndon's freedom and repeal of the "slave insurrection law" under which he was convicted, and under which six other organizers, two Negro men, two white women, two white men, are facing prosecution and similar sentences.

Hold Save Herndon emergency protest meetings and conferences. Elect delegates to the Herndon Action Conference at Imperial Auditorium, 160 West 129th Street, New York.