

HERNDON'S FREEDOM IS NOT YET WON!

A Warning and a Call to Action

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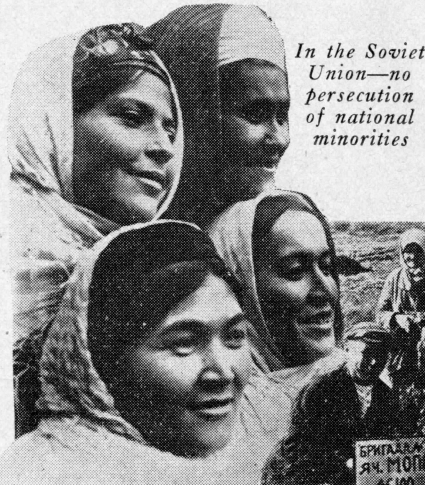
A few months ago a 20-year old Negro boy, named Angelo Herndon was in the foul Fulton Tower Jail at Atlanta, Georgia.

He had been in this black hole for 19 months. He had been put there because he organized unemployed Negro and white workers in Atlanta to demand together, in one unemployed council, an increase in relief.

Specifically he had violated an old law of the state of Georgia passed before the Civil War, for the purpose of crushing slave insurrection. He was charged with calling and attending "public assemblies and mass meetings, the purpose of said meetings being to organize a combination of persons white and colored," and that he "did circulate papers and writings with the intent and purpose of inciting insurrection." Reporting his conviction, Jan. 19, 1933, the United Press dispatch from Atlanta said, "The State showed that he had organized the Relief Council of Atlanta which obtained \$6,000 from the county."

He had been arrested July 11, 1932, held without bail until his trial in January, 1933, found "guilty," and then

bail had been set. "Bail set ain't bail raised," they taunted. They thought



In the Soviet Union—no persecution of national minorities

A MOPR (Soviet I.L.D.) group on the field it planted to raise funds for political prisoners in other countries

Herndon walked out of Fulton Tower Jail on August 4, 1934.

Since then this valiant, tireless fighter has been going all over this country telling about the Scottsboro boys, about the vile slavery in the present South, about the oppression of the Negro people under Jim Crow rule. Tens of thousands of workers have heard him speak. They know him to be a strong,



that Herndon had no friends and that if he did have any they were too poor to help.

militant and brave fighter. And thousands more who have not heard him, have had the privilege of reading one of the most appealing pamphlets that has ever come from the pen of a class war prisoner, the story of the life of Herndon by Herndon himself. It is called *You Cannot Kill the Working Class*. The final section, called "The Workers Will Set Me Free," ends with these words:

"I am happy to be out. Now, for a time at least, I can take my place once more in the ranks of the working-class. Now I am back in the fight."

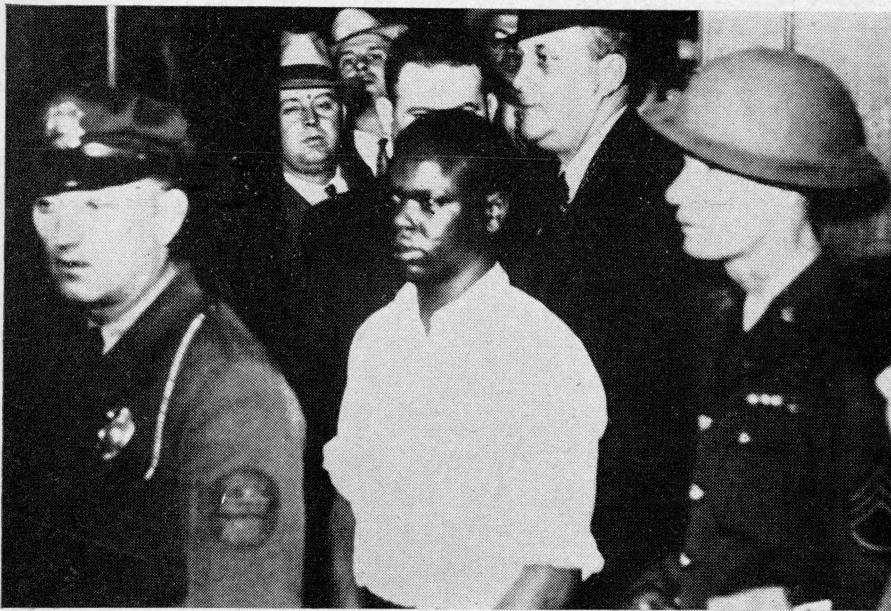
"For a time at least," wrote Herndon, knowing that his freedom had not yet been won.

The Georgia Supreme Court having upheld the lynch court in Atlanta the case is being taken to the U. S. Supreme Court. This month it will probably come before this highest court of U. S. capitalism.

But the Georgia lynchers are still determined to send Herndon to the chain gang for from 18 to 20 years—virtually a death sentence. They are fighting to have their verdict upheld by the U. S. Supreme Court.

While the case is before the Supreme Court our protests must be raised louder than ever for the release of Herndon, the heroic leader of the unemployed. The widest mass pressure, plus the best legal presentation, this is the rule of defense followed in the Scottsboro case

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E. K. Harris, found guilty of "rape" in 8 minutes! A mob burned the courthouse at Shelbyville, Tenn., in an attempt to lynch him

held without bail again until the Supreme Court of Georgia had refused him a new trial in the summer of 1934.

Finally the bail was set at \$15,000. It was excessive, unconstitutional, deliberately prohibitive. The jailers laughed at Herndon when they saw him packing his bag to leave when he heard that

But they reckoned without the I. L. D. and the militant working class. The campaign that followed brought in more than the amount needed—\$18,000 in 25 days. It came from 23 states and from Canada. It was raised in 800 separate loans from individual workers and sympathizers and organizations.

HERNDON MUST BE FREED

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and in every case by the I. L. D. It is specially needed in the case of Herndon. The mass pressure is needed *now*.

Let all those who contributed so generously to the bail fund, all those who helped in any way with the defense, redouble their efforts now. Let the Supreme Court hear from workers' organizations and individuals. Send *your* protest at once to the U. S. Supreme Court, Washington, D. C. If we all do this and do it this month we shall win Angelo Herndon back to the working class front.

We snatched him *for a time* from the hands of the Georgia legal lynchers. We must now redouble our efforts to give him complete freedom. As Herndon said in his statement from the jail in January, 1933:

"I appeal to you as my only refuge for I will never cease organizing and struggling against the system of oppression, hunger and unemployment, and the bloody rule of capitalism until it breathes its last breath, and the workers of all races are free to live, under a government controlled by the workers."