

# Editorial: The HERNDON WRIT

As this editorial is written, Judge Hugh M. Dorsey of Atlanta has not yet handed down his decision on the writ of habeas corpus applied for by the International Labor Defense, Nov. 12, to free Angelo Herndon.

We have no illusions about the probability of this writ being granted. By the time this editorial is read, the world will know the decision.

There is no question, however, of ending the Herndon case here. That would be illusion of illusions. Under all circumstances the case will go to higher courts. Under all circumstances the fight will have to be carried on.

Imagining the improbable—granting of the writ by Judge Dorsey. The effect of this writ would be to free Herndon, to declare the slave insurrection law under which he was convicted, unconstitutional. But Herndon would NOT be free. Because in such a case the state itself will take an appeal, to save the insurrection law, to send Herndon to the chain-gang, to smash the organization of trade-unions and of the unemployed in Georgia.

Should the writ be refused, which is the likeliest thing to happen, then the International Labor Defense will take it to the higher courts, to the state supreme court, and to the United States Supreme Court if necessary.

Meanwhile, our job remains, if we are to force either the courts of Governor Talmadge of Georgia to free Herndon, if we are to save this Negro working-class hero from the hell of the Georgia chain-gang (pending decision on the writ he is held in Fulton Tower jail in Atlanta) to broaden the united action for Herndon's freedom.

Already united action has been developed. A million signatures have



One of the 1,000,000 who signed the Herndon petition.

been secured for Herndon's freedom. He has so far been kept off the chain-gang. It is not yet enough. Not nearly enough. Herndon is still in jail. The chain-gang still awaits him. There are millions of people, organized and unorganized, who can and must be brought into united action to free him, to smash the slave insurrection law, and to save the 18 others indicted under it.

Take this issue into more trade-unions, more organizations. Get resolutions passed addressed to Governor Talmadge, demanding Herndon's freedom.

We have secured a million signatures to the Herndon petitions. This is not enough. We must reach our goal of two millions. Let's get down to it and get them.

GeORGIA  
No. Report \_\_\_\_\_ 105

**GEORGIA PENITENTIARY**  
DESCRIPTION LIST

From Turner Co Farm Camp \_\_\_\_\_  
Ashburn Ga. # - 22 1931  
Name John Wesley Kendall  
Color Bk  
Age 19  
Crime Manslaughter  
County Turner  
Term 10 to 15 yr  
Date Received Apr. 24-26  
Height 4 ft  
Weight 160  
Color Hair Bk  
Color Eyes Bk  
Remarks Died Apr. 25-1931  
accidental death  
by the hand of  
T. J. Conner.

W. Richardson  
Warden.

A BOY IS KILLED—BY ACCIDENT!

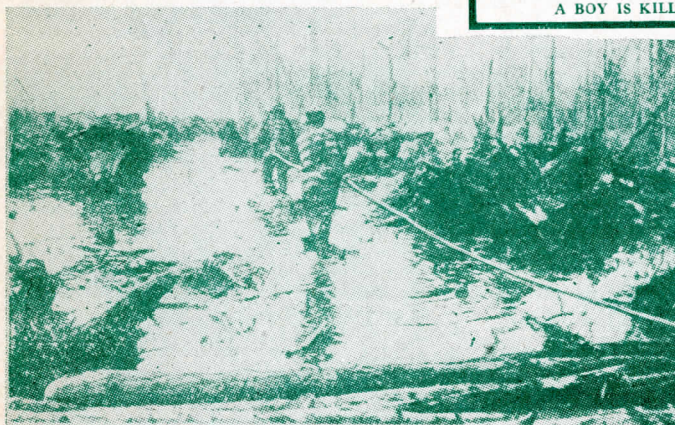
Incident Report from Georgia Penitentiary.

Date August 17-30

By W. Richardson Warden.

- Aug 19 Bud L. McCay Chains for talking back to guard.
- Aug 20 Bud L. McCay In stocks 40 minutes for refusing to work.
- Aug 4 Joe Lay Stripped & placed under the "gun" for cutting up hot side-camp.
- Aug 25 Larson Whitted Double-shackles for fighting on job.
- Aug 26 James Jackson Double-shackles for fighting on job.
- Aug 27 J. C. Robinson Extra heavy chains for fighting on job.

Official murder: These photostats are from the files of the Georgia Prison Commission. It's all right to kill or torture so long as it is officially reported. Help keep Angelo Herndon's name out of these murder files. Join the fight for his freedom.



State Forces Clearing Stumps for Highway Work on Route No. 11, in Lanier County

The chain gang selected by Georgia officials for Angelo Herndon—working in a disease infested swamp.

AN OFFICIAL REPORT FROM MONROE COUNTY