

elect HERNDON to albany

Herndon is Candidate for N. Y. State Assembly on the Harlem All Peoples Party ticket. But he took time out from his campaigning to write this message to readers of the LABOR DEFENDER.

By ANGELO HERNDON

Sometimes I wonder what went on in the minds of those nine old men in Washington when my case was brought before them for the second time in less than two years. They have agreed to hear our appeal against the infamous decision, but the only one that could be expected from the State Supreme Court of Georgia.

I remember the first time they heard the case of Angelo Herndon. I don't know whether they knew I was there in the court room or not. The clerk of the Supreme Court, he was very elegant in a cut away coat with tails on, looked surprised when he was informed of my presence and desire to go into the court room and hear myself tried. I'll always remember how he raised his eyebrows, and though I was standing right there in front of him, said, "Herndon? Why he is in jail."

This time the issue at stake in the case of Angelo Herndon is more clear cut. Judge Dorsey in Atlanta said the insurrection law under which I was condemned was unconstitutional. The State appealed. The State Supreme Court said Dorsey was wrong—that means according to them, that vicious law is constitutional. Now the International Labor Defense is appealing to the highest court on the grounds that the law is unconstitutional—and that is what the learned justices will have to rule on this time.

And because the issue is so clear cut, and because today the battle between reaction and progress, democracy and fascism is so sharp, the Herndon case is more important than it has ever been before. The Liberty League is out to "defend the constitution" by plunging this country into blackest reaction. Most of the recent decisions of the United States Supreme Court seem to indicate that they have ideas not very different from the Liberty League as to how the Constitution must be defended.

The case of Angelo Herndon has become a proving ground for these opposing forces.

All over the country broader sections of the population are beginning to realize what is at stake, to realize that unless they actively defend their rights, they will soon find that these rights have become ancient history written on a scrap of paper.

Proof of this awakening is the licking my friend Governor Talmadge got in Georgia.

Those who doubted that the Herndon case was no more than a fight to save one young person from certain death on the Georgia chain-gang, must certainly understand today that what is involved is the defense of their own rights.

That is why I call on every friend of liberty and justice, progress and freedom, to take an active part in my defense. A protest from YOU and YOUR ORGANIZATION to the United States Supreme Court demanding

that they declare this Georgia insurrection law unconstitutional is one way. Signing your name to the 2,000,000 signature petition list is another. And helping the I.L.D. raise the necessary funds to carry the case back to the Supreme Court in the very near future is a third.

You will not only be helping to save my life. That is the least. I have always been ready to lay it down willingly in defense of what I believe in. You will be strengthening the side of democracy against the side of fascism. You will be showing the Liberty League how the constitution must be defended against those who wish to trample it under the heavy boots of American storm troopers.

Herndon's campaign stands for the right to strike and picket; an end to police brutality in Harlem.

two million signatures—2,000,000 votes for his freedom will stand as a barrier between Angelo Herndon and the certain death that awaits him on the murderous Georgia chain-gang.



Angelo Herndon signing out of Fulton Tower in December 1935. We must keep him out.

