"You Cannot Kill the Working Class" by Angelo Herndon

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Published jointly by the
INTERNATIONAL LABOR DEFENSE
Room 430, 80 East 11th Street, N. Y. C.
and the
LEAGUE OF STRUGGLE FOR NEGRO RIGHTS
2162—7th Avenue, N. Y. C.

Foreword

By JOHN L. SPIVAK

I KNOW Georgia chain-gangs. And I know just how vicious the officials of the State of Georgia can be. The 18 to 20 year sentence which they gave Angelo Herndon in the lower courts and then upheld in the State Supreme Court means only one thing. It means a death sentence.

In collecting material for **"Georgia Nigger,"** I examined most of the available records of the prison commission. I found no record of any prisoner who had lived 18 years on a chain-gang; I found no record of any prisoner who lived more than 10 years. Besides the fiendish tortures which are inflicted on prisoners and under which many die in agony, the prisoners are forced to work under a killing pace which only the strongest can survive for a while. By law, prisoners must be at work when the sun rises. They are awakened long before dawn and work until dark before they are taken back to the stockade to eat and fall into their bunks, in the filthy disease-infested cages, to sleep.

I have see men working under a blazing sun, drenched with sweat, their mouths open, panting for breath, their eyes, nostrils, bodies covered with the red dust of the road. Sometimes they cannot get water and in their thirst they drink polluted water from nearby streams. I have seen men tossing with typhoid fever in the same cage with other prisoners. I have seen men in the last stage of tuberculosis, men with open syphilitic sores, eating, sleeping, bathing, with the healthy prisoners.

This—and more—faces Angelo Herndon if he is sent to a Georgia chain-gang. It means his death, death from torture

and disease for the splendid young fighter if the state of Georgia has its way.

But the state of Georgia can be stopped from adding Herndon to its long list of dead chain-gang prisoners. The inspiring mass response of workers all over the country to the call of the International Labor Defense for $15,000 bail set for Herndon by Georgia, took him out of the Fulton Tower hell, and mass pressure can force his freedom.

When you read this pamphlet you will feel as I do—hardly daring to think what it will mean to permit Angelo Herndon to be sent to a Georgia chain-gang. The International Labor Defense is determined to save him from the chain-gang, and can save him if you will give your support.

The International Labor Defense is appealing the Herndon case to the U. S. Supreme Court this fall. This court must be made to feel the power of mass pressure. It must be made to feel that millions of American workers, Negro and white, are watching it, are demanding that it give Angelo Herndon his freedom. Join in this campaign. Send YOUR protest at once to the U. S. Supreme Court at Washington, D. C. Join in the fight to win complete freedom for Angelo Herndon, heroic young leader of the American working class.

"You Cannot Kill the Working Class"

By ANGELO HERNDON

MY great-grandmother was ever such a tiny girl when some white plantation owners rode up to the Big House and arranged to carry her off. They bargained for a bit and then came down to the Negro quarters and grabbed her away from her mother. They could do that because my great-grandmother's folks were slaves in Virginia.

My great-grandmother lived to be very old. She often told me about those times.

There is one story of hers that keeps coming back to me. She was still a young girl, and mighty pretty, and some rich young white men decided they wanted her. She resisted, so they threw her down on the floor of the barn, and tied her up with ropes, and beat her until the blood ran. Then they sent to the house for pepper and salt to rub in the wounds.

Her daughter—my grandmother—couldn't remember much about slave days. While she was still a child, the Civil War was fought out and chattel-slavery was ended. One childhood scene, though, was scarred on her mind. It was during the Civil War. Some white men burst into her cabin. They seized her sister and strung her to a tree, and riddled her body with bullets. My grandmother herself stayed hidden, and managed to get away alive.

I remember these stories, not because they were so different from life in my own day, but for the opposite reason. They were exactly like some of the things that happened to me when I went South.

My father, Paul Herndon, and my mother, Hattie Herndon, lived for many wears in Birmingham, and then came North. They settled down in Wyoming, Ohio, a little steel and mining town just outside of Cincinnati.

I Am Born Into A Miner's Family

I was born there on May 6, 1913. My name was put down in the big family Bible as Eugene Angelo Braxton Herndon.

They say that once a miner, always a miner. I don't know if that's so, but I do know that my father never followed any other trade. His sons never doubted that they would go down into the mines as soon as they got old enough. The wail of the mine whistle morning and night, and the sight of my father coming home with his lunch-pail, grimy from the day's coating of coal-dust, seemed a natural and eternal part of our lives.

Almost every working-class family, especially in those days, nursed the idea that one of its members, anyway, would get out of the factory and wear clean clothes all the time and sit at a desk. My family was no exception. They hoped that I would be the one to leave the working-class. They were ready to make almost any sacrifices to send me through high-school and college. They were sure that if a fellow worked hard and had intelligence and grit, he wouldn't have to be a worker all his life.

I haven't seen my mother or most of my family for a long time—but I wonder what they think of that idea now!

My father died of miner's pneumonia when I was very small, and left my mother with a big family to care for. Besides myself, there were six other boys and two girls. We all did what we could. Mother went out to do housework for rich white folks. An older brother got a job in the steel mills. I did odd jobs, working in stores, running errands, for $2 and $3 a week. They still had the idea they could scrimp and save and send me through college. But when I was 13, we saw it wouldn't work.

I Go To Work

So one fine morning in 1926, my brother Leo and I started off for Lexington, Ky. It was just across the border, and it had mines, and we were miner's kids.

A few miles outside of Lexington, we were taken on at a

small mine owned by the powerful DeBardeleben Coal Corporation. There didn't seem to be any question in anyone's mind about a kid of 13 going to work, and I was given a job helping to load coal.

We worked under the contracting system. One worker contracts to get a certain amount of work done, and a number of workers are put under him. The contractor's pay depends on how much the men under him load. It's a clever way of getting one worker to speed the others up. It divides the workers against each other, and saves a good deal of management expenses for the operators.

On my job we were paired off in twos, shovelling coal into the cars. We got about $35 per estimate. An estimate is two weeks. Remember, that was in 1926, before the crash, and we averaged 10 or 11 hours a day, and sometimes worked 14. Besides this, we had to walk three or four miles from the surface of the mine to our work, for there was no mantrip. We didn't get any pay for this time.

They deducted about $10 or $15 every estimate for bath, school, doctor, hospital, insurance, and supplies. We had to buy all our mining supplies, like carbide, lamps, dynamite, fuses, picks and so on, at the company store. The company store soaked us.

They weighed our coal and charged us for the slate in it. They cheated awfully on the slate. Then after they skinned us that way, they skinned us again on the weight. The checkweighman had been hired by the company. He had the scales all fixed beforehand, and the cars just slid over the scales. Everybody could see it was a gyp, but we weren't organized, and though we grumbled we couldn't get any satisfaction.

The Company Town

We lived in the company town. It was pretty bad. The houses were just shacks on unpaved streets. We seldom had anything to eat that was right. We had to buy everything from the company store, or we'd have lost our jobs. They kept our pay low and paid only every two weeks, so we had to have credit between times. We got advances in the form of

clackers, which could be used only in the company store. Their prices were very high. I remember paying 30 cents a pound for pork-chops in the company store and then noticing that the butcher in town was selling them for 20 cents. The company store prices were just robbery without a pistol.

The safety conditions in the mine were rotten. The escapeways were far from where we worked, and there was never enough timbering to keep the rocks from falling. There were some bad accidents while I was there. I took all the skin off my right hand pushing a car up into the facing. The cars didn't have enough grease and there were no cross-ties just behind me to brace my feet against. That was a bit of the company's economy. The car slipped, the track turned over, and the next thing I knew I had lost all the skin and a lot of the flesh off my right hand. The scars are there to this day.

This DeBardeleben mine in Lexington was where the Jim-Crow system first hit me. The Negroes and whites very seldom came in contact with each other. Of course there were separate company patches for living quarters. But even in the mine the Negroes and the whites worked in different places. The Negroes worked on the North side of the mine and the whites on the South.

The Negroes never got a look-in on most of the better-paying jobs. They couldn't be section foremen, or electricians, or surveyors, or head bank boss, or checkweighman, or steel sharpeners, or engineers. They could only load the coal, run the motors, be mule-boys, pick the coal, muck the rock. In other words, they were only allowed to do the muscle work.

Besides that, the Negro miners got the worst places to work. We worked in the low coal, only 3 or 4 feet high. We had to wear knee pads, and work stretched flat on our bellies most of the time.

A Slashing Pay-Cut

One day the company put up a notice that due to large overhead expenses, they would have to cut our pay from 42 to 31 cents a ton. We were sore as hell. But there wasn't any union in the mine, and practically none of us had had any

experience at organization, and though we grumbled plenty we didn't take any action. We were disgusted, and some of us quit. Whites and Negroes both.

I was one of those who quit. My contact with unions, and with organization, and the Communist Party, and unity between black and white miners—all that was still in the future. The pay-cut and the rotten conditions got my goat, and I walked off, because as yet I didn't know of anything else to do.

Well, my brother Leo and I set out for Birmingham, where there were relatives—and plenty more mines. I was out of work for a long time. Finally I went to an employment agency and paid down $3 for a job. They signed a lot of us on to work putting up the plant of the Goodyear Rubber Company at Gadsden, Ala. They carried us up there on trucks, promising us we would get $3 a day. When we got there they told us we would get only $1.75 a day. We started work with the concrete mixer, preparing the foundations for the place. We worked night and day, often two shifts one right after the other. We worked like dogs and slept in stifling tents and ate rotten food.

At the end of the first week we lined up to get our pay. Around the pay-office stood dozens of uniformed policemen and company guards. The foreman came out and told us that we had no pay coming, because everything we'd earned had been eaten up by transportation and flops and food.

We were wild with anger. We kept swarming up to the pay-office, but as quick as a group formed there the cops and guards drove us away. The Goodyear Company wouldn't even agree to send us back to Birmingham.

I still didn't have any idea what to do about things like this. I didn't figure we men could get together and organize and make the company come across.

Leo and I hitch-hiked back to Birmingham, and made the round of the mines. I finally got work at the Docena mine of the Tennessee Coal, Iron and Railroad Co.

The Lords of Alabama

I want to talk a little about that. When I sat in jail this

spring and read that the workers of the Tennessee Coal and Iron Company had come out on strike, I knew that a new day had come in the South. The T.C.I. just about owns Alabama. It owns steel mills and coal-mines and a railroad and all sorts of subsidiary plants. It owns company patches and houses. It certainly owns most of the Alabama officials. It dictates the political life of the state. It has made Jim-Crowism a fine art. It has stool-pigeons in every corner. The T.C.I. is like some great, greedy brute that holds a whip over the whole state. Its shadow is everywhere---on factories, schools, judges' benches, even the pulpits of churches.

The Tennessee Coal and Iron Company has always been in the forefront of the fight against unions in the South. They had—and still have—a company-union scheme, which they make a great deal out of, but which doesn't fool any of the workers. I noticed that whatever checkweighman the company put up, would always be elected.

I started surface work at the Docena mine, helping to build transformation lines, cutting the right of way for wires. I was supposed to get $2.78 a day, but there were lots of deductions.

The Power of Organization

It was while I was on this job that I first got a hint of an idea that workers could get things by organizing and sticking together.

It happened this way: one of my buddies on the job was killed by a trolley wire. The shielding on that wire had been down two weeks, and the foreman had seen it down, but hadn't bothered with it. All of us surface men quit work for the day, when we saw our buddy lying burnt and still, tangled up in that wire.

The next week we were called before the superintendent to explain the accident. Of course we were expected to white-wash the foreman and the company, so they wouldn't have to pay any insurance to the dead man's family. Something got into me, and I spoke up and said that the foreman and the whole company was to blame. The men backed me up. One of the foremen nudged me and told me to hush. He said:

"Boy, you're talking too damn much." But I kept on. The foreman was removed and the dead man's family got some compensation from the T.C.I.

That was my first lesson in organization.

By this time the crisis had hit the United States. Mines and factories closed their doors, and businesses crashed, and workers who had never been out of jobs before began to tramp the streets. Those of us who still had jobs found our wages going down, down. The miners got one cut after another. Often, when we got our pay-envelopes, we'd find a blank strip. That meant that the company had taken all our wages for supplies and food advances.

I Begin to Question

The Jim-Crow system was in full force in the mines of the Tennessee Coal and Iron Company, and all over Birmingham. It had always burnt me up, but I didn't know how to set about fighting it. My parents and grand-parents were hard-boiled Republicans, and told me very often that Lincoln had freed the slaves, and that we'd have to look to the Republican Party for everything good. I began to wonder about that. Here I was, being Jim-Crowed and cheated. Every couple of weeks I read about a lynching somewhere in the South. Yet there sat a Republican government up in Washington, and they weren't doing a thing about it.

My people told me to have faith in God, and he would make everything come right. I read a lot of religious tracts, but I got so I didn't believe them. I figured that there was no use for a Negro to go to heaven, because if he went there it would only be to shine some white man's shoes.

I wish I could remember the exact date when I first attended a meeting of the Unemployment Council, and met up with a couple of members of the Communist Party. That date means a lot more to me than my birthday, or any other day in my life.

The workers in the South, mostly deprived of reading-matter, have developed a wonderful grapevine system for transmitting

news. It was over this grapevine that we first heard that there were "reds" in town.

The foremen—when they talked about it—and the newspapers, and the big-shot Negroes in Birmingham, said that the "reds" were foreigners, and Yankees, and believed in killing people, and would get us in a lot of trouble. But out of all the talk I got a few ideas clear about the Reds. They believed in organizing and sticking together. They believed that we didn't have to have bosses on our backs. They believed that Negroes ought to have equal rights with whites. It all sounded O.K. to me. But I didn't meet any of the Reds for a long time.

I Find the Working-Class Movement

One day in June, 1930, walking home from work, I came across some handbills put out by the Unemployment Council in Birmingham. They said: "Would you rather fight—or starve?" They called on the workers to come to a mass meeting at 3 o'clock.

Somehow I never thought of missing that meeting. I said to myself over and over: "It's war! It's war! And I might as well get into it right now!" I got to the meeting while a white fellow was speaking. I didn't get everything he said, but this much hit me and stuck with me: that the workers could only get things by fighting for them, and that the Negro and white workers had to stick together to get results. The speaker described the conditions of the Negroes in Birmingham, and I kept saying to myself: "That's it." Then a Negro spoke from the same platform, and somehow I knew that this was what I'd been looking for all my life.

At the end of the meeting I went up and gave my name. From that day to this, every minute of my life has been tied up with the workers' movement.

I joined the Unemployment Council, and some weeks later the Communist Party. I read all the literature of the movement that I could get my hands on, and began to see my way more clearly.

I had some mighty funny ideas at first, but I guess that was only natural. For instance, I thought that we ought to start

by getting all the big Negro leaders like DePriest and Dubois and Walter White into the Communist Party, and then we would have all the support we needed. I didn't know then that DePriest and the rest of the leaders of that type are on the side of the bosses, and fight as hard as they can against the workers. They don't believe in fighting against the system that produces Jim-Crowism. They stand up for that system, and try to preserve it, and so they are really on the side of Jim-Crowism and inequality. I got rid of all these ideas after I heard Oscar Adams and others like him speak in Birmingham.

Misleaders in Action

That happened this way:

Birmingham had just put on a Community Chest drive. The whites gave and the Negroes gave. Some gave willingly, thinking it was really going to help feed the unemployed, and the rest had it taken out of their wages. There was mighty little relief handed out to the workers, even when they did get on the rolls. The Negroes only got about half what the whites got. Some of the workers waiting at the relief station made up a take-off on an old prison song. I remember that the first two lines of it went:

I've counted the beans, babe,
I've counted the greens. . . .

The Unemployment Council opened a fight for cash relief, and aid for single men, and equal relief for Negro and white. They called for a meeting in Capitol Park, and we gathered about the Confederate Monument, about 500 of us, white and Negro, and then we marched on the Community Chest headquarters. There were about 100 cops there. The officials of the Community Chest spoke, and said that the best thing for the Negroes to do was to go back to the farms. They tried very hard to give the white workers there the idea that if the Negroes went back to the farms, the whites would get a lot more relief.

Of course our leaders pointed out that the small farmers and share-croppers and tenants on the cotton-lands around Birmingham were starving, and losing their land and stock,

and hundreds were drifting into the city in the hope of getting work.

Then Oscar Adams spoke up. He was the editor of the **Birmingham Reporter**, a Negro paper. What he said opened my eyes—but not in the way he expected. He said we shouldn't be misled by the leaders of the Unemployment Council, that we should go politely to the white bosses and officials and ask them for what they wanted, and do as they said.

Adams said: "We Negroes don't want social equality." I was furious. I said inside of myself: "Oscar Adams, we Negroes want social and every other kind of equality. There's no reason on God's green earth why we should be satisfied with anything less."

Traitors in the Ranks

That was the end of any ideas I had that the big-shots among the recognised Negro leaders would fight for us, or really put up any struggle for equal rights. I knew that Oscar Adams and the people like him were among our worst enemies, especially dangerous because they work from inside our ranks and a lot of us get the idea that they are with us and of us.

I look back over what I've written about those days since I picked up the leaflet of the Unemployment Council, and wonder if I've really said what I mean. I don't know if I can get across to you the feeling that came over me whenever I went to a meeting of the Council, or of the Communist Party, and heard their speakers and read their leaflets. All my life I'd been sweated and stepped on and Jim-Crowed. I lay on my belly in the mines for a few dollars a week, and saw my pay stolen and slashed, and my buddies killed. I lived in the worst section of town, and rode behind the "Colored" signs on streetcars, as though there was something disgusting about me. I heard myself called "nigger" and "darky," and I had to say "Yes, sir" to every white man, whether he had my respect or not.

I had always detested it, but I had never known that anything could be done about it. And here, all of a sudden, I had found organizations in which Negroes and whites sat together,

and worked together, and knew no difference of race or color. Here were organizations that weren't scared to come out for equality for the Negro people, and for the rights of the workers. The Jim-Crow system, the wage-slave system, weren't everlasting after all! It was like all of a sudden turning a corner on a dirty, old street and finding yourself facing a broad, shining highway.

The bosses, and the Negro misleaders like Oscar Adams, told us that these Reds were "foreigners" and "strangers" and that the Communist program wasn't acceptable to the workers in the South. I couldn't see that at all. The leaders of the Communist Party and the Unemployment Council seemed people very much like the ones I'd always been used to. They were workers, and they talked our language. Their talk sure sounded better to me than the talk of Oscar Adams, or the President of the Tennessee Coal, Iron and Railroad Co. who addressed us every once in a while. As for the program not being acceptable to us—I felt then, and I know now, that the Communist program is the only program that the Southern workers—whites and Negroes both—can possibly accept in the long run. It's the only program that does justice to the Southern worker's ideas that everybody ought to have an equal chance, and that every man has rights that must be respected.

Work Against Odds

The Communist Party and the Unemployment Council had to work under the most difficult conditions. We tried to have a little headquarters, but it was raided and closed by the police. We collected money for leaflets, penny by penny, and mimeographed them on an old, rickety hand-machine we kept in a private home. We worked very quietly, behind drawn shades, and were always on the look-out for spies and police. We put the leaflets out at night, from door-step to door-step. Some of our members who worked in factories sneaked them in there.

Sometimes we would distribute leaflets in a neighborhood, calling for a meeting in half an hour on a certain corner. We would put up just one speaker, he would give his message in

the fewest possible words, we would pass out pamphlets and leaflets, and the meeting would break up before the cops could get on the scene.

The bosses got scared, and the Ku Klux Klan got busy. The Klan would parade up and down the streets, especially in the Negro neighborhoods, in full regalia, warning the Negroes to keep away from the Communists. They passed out leaflets saying: "Communism Must Be Wiped Out. Alabama Is a Good Place for Good Negroes, but a Bad Place for Negroes Who Want Social Equality."

In June, 1930, I was elected a delegate to the National Unemployment Convention in Chicago. Up to this point I had been staying with relatives in Birmingham. They were under the influence of the Negro misleaders and preachers, and they told me that if I went to the convention I need never come to their house again. The very morning I was to leave, I found a leaflet on my dorstep, put there by the Ku Klux Klan.

I went to Chicago, riding the rods to get there.

A World Movement

In Chicago, I got my first broad view of the revolutionary workers' movement. I met workers from almost every state in the union, and I heard about the work of the same kind of organizations in other countries, and it first dawned on me how strong and powerful the working-class was. There wasn't only me and a few others in Birmingham. There were hundreds, thousands, millions of us!

My family had told me not to come back. What did I care? My real family was the organization. I'd found that I had brothers and sisters in every corner of the world, I knew that we were all fighting for one thing and that they'd stick by me. I never lost that feeling, in all the hard days to come, in Fulton Tower Prison with the threat of the electric chair and the chain-gang looming over me.

I went back to Birmingham and put every ounce of my strength into the work of organization. I built groups among the miners. I read and I studied. I worked in the Young Communist League under the direction of Harry Simms, the young

white boy who was later, during the strike of the Kentucky miners, to give his life for the working-class.

I helped organize an Anti-Lynching Conference in Chattanooga. This conference selected delegates to the first convention of the League of Struggle for Negro Rights, held in St. Louis in 1930.

Death Penalty to the Lynchers

I myself was not a delegate to the St. Louis Conference—but the decisions of the conference impressed me. All the Negro organizations before this, and all the white liberal groups, had pussy-footed and hesitated and hemmed and hawed on the burning issue of lynching. When I read the slogan of the League of Struggle for Negro Rights—"Death Penalty to Lynchers!"—the words seemed blazed right across the page. The St. Louis conference called for a determined struggle for equality for the Negro people.

I had a number of experiences about this time, that taught me a great deal. I went into the Black Belt, and talked with the Negro and white share-croppers and tenants. The price of cotton had crashed, and the burden was being put on the croppers and tenants, so the landlords might go on living in style. There was practically nothing to eat in the cabins. The croppers had applied for government loans, but when the loans came the landlords, with the help of the rural postmasters, stole the money. There was as yet no Share Croppers Union, which was later to challenge the landlords' system of debt-slavery.

A Negro preacher with whom I had made contact notified a Negro secret service-man that I was about, and together they tried to terrorize me. The preacher said: "I don't know anything about the conditions of the people here. I only know that I myself am happy and comfortable." Well, the upshot of it was that the preacher called the sheriff, and lynch-mob began to form, and I escaped by grabbing the first train out of town. My escape was a matter of minutes. It was a white share-cropper who supplied me with the funds to get away.

Scottsboro

It was while I was in New Orleans for a few weeks as representative of the Trade Union Unity League, that I first saw the name Scottsboro. I want to go into that a bit, because the Scottsboro case marked a new stage in the life of the Negro people—and the white workers too—in the United States.

One morning I picked up a capitalist paper and saw that "nine black brutes had raped two little white girls." That was the way the paper put it. There was a dock strike on at the time in New Orleans, and the bosses would have been glad to see this issue, the Scottsboro case, used as a method of whipping up hatred of white and Negro longshoremen against each other.

I knew the South well enough to know at once that here was a vicious frame-up. I got to work right away organizing committees among the workers of New Orleans. We visited clubs, unions, churches to get support for the Scottsboro boys.

On May 31, 1931, I went as a delegate to the first All-Southern Scottsboro Conference, held in Chattanooga.

The hall where the conference was to be held was surrounded by gunmen and police, but we went through with the meeting just the same. The bosses and dicks were boiling mad because we had white and Negro meeting together—and saying plainly that the whole Scottsboro case was a rotten frame-up. I spoke at that conference.

While I was in Chattanooga that trip, I went to a meeting in a Negro church addressed by William Pickens, field secretary of the National Association for the Advancement of Colored People. Pickens made an attack on the International Labor Defense. He said we shouldn't get the governor and the courts mad. We should try to be polite to them. He said: "You people don't know how to fight. Give your money to me and to lawyers and we'll take care of this." Then he attacked the mothers of the Scottsboro boys as being a lot of ignorant fools.

Well, I was so mad I hardly knew what I was doing. I spoke up and said that the Scottsboro boys would never get out of prison until all the workers got together and brought terrific pressure on the lynchers. I said: "We've been polite to the lynchers entirely too long. As long as we O. K. what they

do, as long as we crawl to them and assure them we have no wish to change their way of doing things—just so long we'll be slaves."

What Scottsboro Means

Later, while I lay in jail in Atlanta, I followed the Scottsboro case as best I could. Every time I got a paper—and that wasn't too often—I looked eagerly for news of the Scottsboro boys. I was uplifted, brimming over with joy because of the splendid fight we made at the new trial in Decatur. I could hardly contain myself when I saw how the workers were making the Scottsboro case a battering-ram against Jim-Crowism and oppression. I watched the protests in the Scottsboro case swelling to a roar that echoed from one end of the world to the other. And I'd pace that cell, aching to get out and throw myself into the fight.

If you know the South as I do, you know what the Scottsboro case means. Here were the landlords in their fine plantation homes, and the big white bosses in their city mansions, and the whole brutal force of dicks and police who do their bidding. There they sat, smug and self-satisfied, and oh, so sure that nothing could ever interfere with them and their ways. For all time they would be able to sweat and cheat the Negro people, and jail and frame and lynch and shoot them, as they pleased.

And all of a sudden someone laid a hand on their arm and said: "STOP." It was a great big hand, a powerful hand, the hand of the workers. The bosses were shocked and horrified and scared. I know that. And I know also that after the fight began for the Scottsboro boys, every Negro worker in mill or mine, every Negro cropper on the Black Belt plantations, breathed a little easier and held his head a little higher.

I'm ahead of my story now, because I got carried away by the thought of Scottsboro.

I settled down for work in Birmingham, especially among the miners. Conditions in the mines had become worse than horrible. The company had gunmen patrolling the highways,

watching the miners. I was arrested several times during this period, and quizzed and bullied.

During one of these arrests the police demanded that I tell them where the white organizers lived. They said: "Where's that guy Tom? We'd like to lay our hands on the son-of-a-bitch."

I said: "I haven't seen Tom for days."

All of a sudden one of the policemen struck me across the mouth. "Mr. Tom to you, you bastard!" he roared.

The Willie Peterson Frame-Up

But it was during the Willie Peterson frame-up that I first got a real taste of police brutality.

There was frame-up in the air for weeks before the Peterson case started. The miners were organizing against wage-cuts; the white and Negro workers were beginning to get together and demand relief and jobs and the human rights that had been taken from them. If the bosses could engineer a frame-up against some Negro, a lot of white workers would begin to think about that instead of about bread and jobs. If they could be made to think of the Negroes they worked with as rapists and murderers, they wouldn't be so anxious to organize with them in unions and Unemployment Councils. Also, such frame-ups are always the excuse for terrorizing the Negroes.

On August 3, in Birmingham, two white girls were killed. More than 70 Negroes were lynched in the fury that was whipped up around this case! One of the papers said that the man who shot these girls was a Negro, and that he had made a "Communist speech" to them before the murder.

A dragnet was thrown out, and I was one of the first to be caught.

I was lying in bed when a large white man came to our window and put a gun in my face. At the same moment there was a crash, and some other men broke in the door. My roommate and I were forced out of bed and handcuffed. We didn't know what it was all about.

I was locked up. About an hour later, police came to my cell and dragged me down the stairs and into a car. I was carried

to the woods, about 20 miles out of town. On the way one of the gun-thugs kept pointing out places where he had killed "niggers."

The car stopped and we all got out. They asked me: "Who shot Nell Williams?" I said I didn't know.

Third Degree

Two of the men pulled their coats off and slipped a rubber hose from their trousers. I was still handcuffed. They began to beat me over the head. When one man got tired, another would take the hose from him and go on with the beating. They said they knew that I had shot Nell Williams. They demanded that I point out some of the white comrades. I shut my lips tight over my teeth, and said nothing.

Next morning I couldn't get my hat on my swollen head. My ears were great raw lumps of flesh.

Willie Peterson, an unemployed coal-miner, a veteran of the World War, was framed for that murder. He is as innocent as I was.

By now I was known to every stool-pigeon and policeman in Birmingham, and my work became extremely difficult. It was decided to send me to Atlanta.

I want to describe the conditions of the Atlanta workers, because that will give some idea of why the Georgia bosses find it necessary to sentence workers' organizers to the chain-gang. I couldn't say how many workers were unemployed—the officials keep this information carefully hidden. It was admitted that 25,000 families, out of 150,000 population, were on relief. Hundreds who were jobless were kept off the relief rolls.

In the factories, the wages were little higher than the amount of relief doled out to the unemployed. The conditions of the Southern textile workers is known to be extremely bad, but Atlanta has mills that even the Southern papers talk about as "sore spots." The Fulton Bag Company was one of these. There, and in the Piedmont and other textile plants, young girls worked for $6 and even less a week, slaving long hours in ancient, unsanitary buildings.

In the spring of 1930, six organizers of the workers—two white women, two white men and two Negro men—were arrested and indicted for "inciting to insurrection." The state was demanding that they be sent to the electric chair.

Splitting the Workers

The Black Shirts—a fascist organization—held parades quite often, demanding that all jobs be taken away from Negroes and given to whites. They said that all the Negroes should go back to Africa. I smiled the first time I heard this— it amused me to see how exactly the program of Marcus Garvey fitted in with the program of the Klan.

Of course the demand of the Black Shirts to give all the jobs to the whites was an attempt to split the white workers from the Negroes and put an end to joint struggles for relief. As organizer for the Unemployment Council, I had to fight mighty hard against this poison.

From the cradle onward, the Southern white boy and girl are told that they are better than Negroes. Their birth certificates are tagged "white"; they sit in white schools, play in white parks and live on white streets. They pray in white churches, and when they die they are buried in white cemeteries. Everywhere before them are signs: "For White." "For Colored." They are taught that Negroes are thieves, and murderers, and rapists.

I remember especially one white worker, a carpenter, who was one of the first people I talked to in Atlanta. He was very friendly to me. He came to me one day and said that he agreed with the program, but something was holding him back from joining the Unemployment Council.

"What's that, Jim?" I asked. Really, though, I didn't have to ask. I knew the South, and I could guess.

"Well, I just don't figure that white folks and Negroes should mix together," he said. "It won't never do to organize them in one body."

I said: "Look here, Jim. You know that the carpenters and all the other workers get a darn sight less pay for the same

work in the South than they do in other parts. Did you ever figure out why?"

He hadn't.

The Price of Division

"Well," I said, "I'll tell you why. It's because the bosses have got us all split up down here. We Southern workers are as good fighters as there are anywhere, and yet we haven't been able to get equal wages with the workers in other places, and we haven't got any rights to speak of. That's because we've been divided. When the whites go out on strike, the bosses call in the Negroes to scab. When the Negroes strike, the bosses call in the whites to scab.

"Did you ever figure out why the unions here are so weak? It's because the whites don't want to organize with the Negroes, and the Negroes don't trust the whites.

"We haven't got the simplest human rights down here. We're not allowed to organize and we're not allowed to hold our meetings except in secret. We can't vote—most of us—because the bosses are so anxious to keep the Negroes from voting that they make laws that take this right away from the white workers too.

"We Southern workers are like a house that's divided against itself. We're like an army that goes out to fight the enemy and stops on the way because its men are all fighting each other.

"Take this relief business, now," I said. "The commissioners tell the whites that they can't give them any more relief because they have to feed so many Negroes, and the Negroes ought to be chased back to the farms. Then they turn around and tell the Negroes that white people have to come first on the relief, so there's nothing doing for colored folks. That way they put us off, and get us scrapping with each other.

"Now suppose the white unemployed, and the Negro unemployed, all go to the commissioners together and say: 'We're all starving. We're all in need. We've decided to get together into one strong, powerful organization to make you come across with relief.'

"Don't you think that'll bring results, Jim?" I asked him. "Don't you see how foolish it is to go into the fight with half an army when we could have a whole one? Don't you think that an empty belly is a pretty punk exchange for the honor of being called a 'superior' race? And can't you realize that as long as one foot is chained to the ground the other can't travel very far?"

What Happened to Jim

Jim didn't say anything more that day. I guess he went home and thought it over. He came back about a week later and invited me to his house. It was the first time he'd ever had a Negro in the house as a friend and equal. When I got there I found two other Negro workers that Jim had brought into the Unemployment Council.

About a month later Jim beat up a rent collector who was boarding up the house of an evicted Negro worker. Then he went to work and organized a committee of whites and Negroes to see the mayor about the case. "Today it's the black worker across town; tomorrow it'll be me," Jim told the mayor.

There are a lot of Jims today, all over the South.

We organized a number of block committees of the Unemployment Councils, and got rent and relief for a large number of families. We agitated endlessly for unemployment insurance.

In the middle of June, 1932, the state closed down all the relief stations. A drive was organized to send all the jobless to the farms.

We gave out leaflets calling for a mass demonstration at the courthouse to demand that the relief be continued. About 1000 workers came, 600 of them white. We told the commissioners we didn't intend to starve. We reminded them that $800,000 had been collected in the Community Chest drive. The commissioners said there wasn't a cent to be had.

But the very next day the commission voted $6,000 for relief to the jobless!

On the night of July 11, I went to the Post Office to get my mail. I felt myself grabbed from behind and turned to see a police officer.

I was placed in a cell, and was shown a large electric chair, and told to spill everything I knew about the movement. I refused to talk, and was held incommunicado for eleven days. Finally I smuggled out a letter through another prisoner, and the International Labor Defense got on the job.

The Insurrection Law

Assistant Solicitor John Hudson rigged up the charge against me. It was the charge of "inciting to insurrection." It was based on an old statute passed in 1861, when the Negro people were still chattel slaves, and the white masters needed a law to crush slave insurrection and kill those found giving aid to the slaves. The statute read:

> **"If any person be in any manner instrumental in bringing, introducing or circulating within the state any printed or written paper, pamphlet, or circular for the purpose of exciting insurrection, revolt, conspiracy or resistance on the part of slaves, Negroes or free persons of color in this state he shall be guilty of high misdemeanor which is punishable by death."**

Since the days of the Civil War that law had lain, unused and almost forgotten. Now the slaves of the new order—the white and black slaves of capitalism—were organizing. In the eyes of the Georgia masters, it was a crime punishable by death.

The trial was set for January 16, 1933. The state of Georgia displayed the literature that had been taken from my room, and read passages of it to the jury. They questioned me in great detail. Did I believe that the bosses and government ought to pay insurance to unemployed workers? That Negroes should have complete equality with white people? Did I believe in the demand for the self-determination of the Black Belt—that the Negro people should be allowed to rule the Black Belt territory, kicking out the white landlords and government officials? Did I feel that the working-class could run the mills and mines and government? That it wasn't necessary to have bosses at all?

I told them I believed all of that—and more.

The courtroom was packed to suffocation. The I.L.D. attorneys, Benjamin J. Davis, Jr., and John H. Geer, two young Negroes—and I myself—fought every step of the way. We were not really talking to that judge, nor to those prosecutors, whose questions we were answering. Over their heads we talked to the white and Negro workers who sat on the benches, watching, listening, learning. And beyond them we talked to the thousands and millions of workers all over the world to whom this case was a challenge.

We demanded that Negroes be placed on jury rolls. We demanded that the insulting terms, "nigger" and "darky," be dropped in that court. We asserted the right of the workers to organize, to strike, to make their demands, to nominate candidates of their choice. We asserted the right of the Negro people to have complete equality in every field.

The state held that my membership in the Communist Party, my possession of Communist literature, was enough to send me to the electric chair. They said to the jury: "Stamp this damnable thing out now with a conviction that will automatically carry with it a penalty of electrocution."

And the hand-picked lily-white jury responded:

"We, the jury, find the defendant guilty as charged, but recommend that mercy be shown and fix his sentence at from 18 to 20 years."

I had organized starving workers to demand bread, and I was sentenced to live out my years on the chain-gag for it. But I knew that the movement itself would not stop. I spoke to the court and said:

"They can hold this Angelo Herndon and hundreds of others, but it will never stop these demonstrations on the part of Negro and white workers who demand a decent place to live in and proper food for their kids to eat."

I said: "You may do what you will with Angelo Herndon. You may indict him. You may put him in jail. But there will come thousands of Angelo Herndons. If you really want to do anything about the case, you must go out and indict the social

system. But this you will not do, for your role is to defend the system under which the toiling masses are robbed and oppressed.

"You may succeed in killing one, two, even a score of working-class organizers. **But you cannot kill the working class.**"

Fulton Tower Prison

Now began the long months in Fulton Tower Prison. How can I describe those days? I was starved. I was ill, I was denied the sight of friends, denied the literature of the class struggle, which meant more than food and drink to me. I was tortured by the jailers, who taunted me, and threatened me, and searched feverishly for a thousand and one ways to make the days of a jailed man a living hell.

But worse than anything was the way time dragged, dragged, till each separate minute became an eternity of torture. Time became my personal enemy—an enemy I had to fight with all my strength. The first hours became a day, and the first days became weeks, and then began the long succession of months—six of them, a year of them, seventeen, eighteen, nineteen. I lay on my filthy bunk, and studied the patterns on walls and ceilings, and learned to know every spot and crack. I watched the shadows of the jail bars on the floor shorten and lengthen again. I saw men come and go, and now and again return. Prisoners arrived with horrible stories of torture and brutality on the chain-gang for which I was headed. I said good-bye to ten men as they left the cell to go to the death-chair.

Meanwhile, beyond the walls, the working-class movement was fighting on. Sometimes I got a newspaper, torn and dirty, and lay on the floor piecing it together. Sometimes—very rarely—a friend was allowed to see me for a moment. In this way I learned what was going on.

The crisis got worse, and the New Deal came in. The workers learned that it meant more hunger and misery, and strikes broke out. The map of the United States was dotted with strikes. The workers in the very hell-holes I had once slaved in, downed tools and fought to better their conditions. The farmers massed to stop the sale of their land. The Scottsboro

fight went on ceaselessly, was carried across the world, piled up new mountains of strength.

In Germany, Hitler took over power, poured a sea of blood over the country, and yet could not drown the organizations, the fighting spirit of the working-class. The Chinese Soviets tore a fifth of China from the grip of the foreign and the native exploiters.

In the Soviet Union, the workers, all power in their hands, built vast new dams and power-stations, laid new railways, fired new blast furnaces, planted great farms and built, stone upon stone, the structure of a new society of peace and plenty.

The war danger flared and died down and flared again—the workers watching constantly to stamp out the spark.

"The Workers Will Set Me Free"

I wanted to be out in the struggle, taking my part in it, doing my share. But not for one minute did I doubt that the workers would make me free. Even the news that the Georgia Supreme Court had denied me a new trial did not dishearten me. From the letters I received, I knew that the workers everywhere were fighting for me. I wrote letters—never knowing if they would leave the jail or not—and I read what papers and books I had, and I waited.

The day I heard that the International Labor Defense had had bail set for me, I packed up my belongings and got ready to go. The jailers laughed at me. "Bail set ain't bail raised," they said. But I knew I'd go. And I went.

One morning Joe Brodsky, the lawyer who'd also fought for the Scottsboro boys, came to my cell and said: "We're going, Angelo."

The working-class had determined on my release, and I was free. They had raised, penny by penny, the enormous sum of $15,000 to get a class brother out of jail.

I took the train for the North. All along the way I was greeted by my comrades. In Washington, in Baltimore, in Philadelphia and Newark, workers stood on the platform to watch the train come by, and they cheered me, and I cheered their spirit and their determination. I stepped out of the train

at Pennsylvania Station, into the arms of 7,000 of my white and Negro class-brothers and class-sisters.

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.

THE END

An Appeal to the Working-Class and the Negro People:

THE case of the State of Georgia vs. Angelo Herndon is the Case of the Capitalist Masters against the Working-class.

The state of Georgia proclaims that membership in militant working-class organizations, possession of the literature of the class-struggle, is a crime punishable by death. With the indictment of Angelo Herndon, the bosses of Georgia threw their challenge to the working-class. Under the terms of that indictment, organization of the workers is forbidden. The distribution of working-class literature is forbidden. The nomination of working-class candidates is forbidden. The punishment for these acts is to be death in the electric chair.

This is the most outspoken declaration of fascism that has yet been made in America.

Angelo Herndon organized the workers to fight for bread. Angelo Herndon declared boldly the principle of equality for the Negro people. These were his "crimes."

The fight for Angelo Herndon is the fight for the rights of the workers to organize, strike, picket, read and distribute their literature. It is a fight for rights bought by years of blood-shed. It is, likewise, the fight for the liberation of the Negro people, a nation in chains.

To hold back from this fight, to betray this fight, is a crime against the working-class, against the oppressed Negro people.

In the forefront of the fight to save Herndon are the International Labor Defense and the League of Struggle for Negro

Rights. To fight effectively for Herndon means to join, support, be active in these organizations.

The International Labor Defense is the fighting defense organization of the working class and the poor farmers. It fights for the freedom of prisoners of the class war and prisoners of the national oppression of the Negro people. It is the shield of the working-class in its struggle for the rights of free speech, assemblage, organization, press.

The League of Struggle for Negro Rights is an organization built on the program of uncompromising struggle for the complete economic, political and social equality of the Negro people, and the right of self-determination for the Black Belt. The L.S.N.R. is at present engaged in a campaign for a federal Bill for Negro Rights and the Suppression of Lynching. This Bill provides the penalty of death for lynchers, and makes every act of discrimination against a Negro an offense punishable by law. Around this bill the L.S.N.R. is organizing tremendous struggles.

The International Labor Defense and the League of Struggle for Negro Rights ask all workers, regardless of political affiliation, regardless of religious belief, regardless even of disagreements with parts of their program, to join in the struggle to set free Angelo Herndon and the Scottsboro boys.

The Georgia Supreme Court has denied Herndon a new trial. The Alabama Supreme Court has denied a new trial to Clarence Norris and Haywood Patterson, two of the Scottsboro boys. These cases will now be appealed to the U. S. Supreme Court.

Will Herndon remain out of jail, giving his young enthusiasm to the fight? Or will this winter find him once more in the clutches of the lynchers, the steel of the chain-gang about his legs, bending his back under the threats of a prison overseer on a Georgia road? Will the winter find the Scottsboro boys burned to a crisp in the electric chair?

The answer must be a wave of protests that will hammer against the walls of Fulton Tower, that will shake Kilby Prison, that will rock the Supreme Court of the United States and force the justices to release to us these 10 victims of oppression.

So far the working-class has not failed Angelo Herndon and the Scottsboro boys. It cannot fail them now.

Angelo Herndon Is Not Yet Free!

The devotion of the working class and its sympathizers has freed him from Fulton Tower—ON BAIL.

The State of Georgia is still determined to murder him on the chain-gang.

ANGELO HERNDON MUST STAY FREE

The International Labor Defense is appealing the Herndon case and the Scottsboro case to the U. S. Supreme Court this fall

THE SCOTTSBORO BOYS MUST STAY FREE

$15,000 is needed to carry on the defense, to prepare the briefs and appeals, to continue the fight—

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