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**ANGELO HERNDON
PAPERS**

**The New York Public Library
Schomburg Center for Research In Black Culture
515 Malcolm Blvd.
New York, New York 10037**

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ANGELO HERNDON (1913-1997). PAPERS, 1932-1940.
0.8 lin. ft.

Biographical Sketch

Born in 1913 in Wyoming, Ohio, a small steel and mining town outside Cincinnati, the Communist Party organizer Angelo Herndon went to work in the Kentucky coal mines at the age of 13 after his father had died of miner's pneumonia. In a pamphlet published in 1934 by the International Labor Defense (ILD), Herndon tells the story of how he and his brother Leo moved to Birmingham, Alabama, in 1927, to work for the Tennessee Coal, Iron and Railroad Company, which owned "most of the Alabama officials" and had "made Jim-Crowism a fine art," and how with the onset of the Great Depression he joined the Birmingham Unemployment Council and the Communist Party. At the age of 17, he attended the National Unemployment Convention in Chicago as a Birmingham delegate, helped organize an Anti-Lynching Conference in Chattanooga, Tennessee, and worked with sharecroppers in the Black Belt South.

In August 1931, Herndon was arrested and given the "third degree" by the Birmingham police. After his release, the Party sent him to Atlanta, Georgia, where he was not known "to every stool-pigeon and policeman." He began organizing block committees of the unemployed and mobilizing black and white workers alike to fight for unemployment insurance and rent relief. When the state of Georgia closed down its relief centers in June 1932 and launched a drive to send all the unemployed out of the city to do farm work, Herndon helped organize a protest march of black and white unemployed workers to the Atlanta courthouse. The relief authorities rescinded their order and appropriated \$6,000 for additional relief. But the next day, on July 11, Herndon was arrested on his way to the Post Office and, having found some communist publications in his room, the Fulton County prosecutor, John Hudson, charged him with "inciting to insurrection," under an 1861 slave statute that made the possession or distribution of seditious literature punishable by death.

Hudson proclaimed that Herndon's trial was also a trial "of Lenin, Stalin, Trotsky and Kerensky, and every white person who believes that black and white should unite for the purpose of setting-up a Nigger Soviet Republic in the Black Belt." In January 1933, an all-white jury found the 20 year-old Herndon guilty as charged, but recommended "that mercy be shown" by setting his sentence at 18 to 20 years on the chain gang. At his sentencing, he defiantly told the court: "You may do what you will with Angelo Herndon....You may succeed in killing one, two, even a score of working-class organizers. But you cannot kill the working class."

The young communist organizer spent the next two years in the Fulton County Prison in Atlanta. The ILD appealed the case to the U.S. Supreme Court and posted bail for his release in Dec. 1934. He toured the country publicizing his case and that of the Scottsboro Boys, but had to return to jail in Oct. 1935 when the United States Supreme Court refused to hear his case. By then Herndon had become a cause célèbre: two million people worldwide had signed a petition calling for his release. On appeal, Judge Hugh Dorsey of Fulton Superior Court ruled in his favor on a writ of habeas corpus in December 1935, but the Georgia Supreme Court reversed that decision in June 1936, ruling unanimously that the Insurrection Law did not violate either the State or the Federal Constitutions. The U.S. Supreme Court heard his case and decided in his favor in April of 1937.

In 1936, Herndon became a member of the Executive Committee of the Youth Branch of the National Negro Congress. His autobiography, Let Me Live, was published by Random House in early 1937. Writing in the Harlem edition of the Communist Party newspaper,

The Worker (July 14, 1949), Abner Berry called him "one of the most celebrated of American political prisoners... greeted by the President of the United States, [and] entertained on the White House lawn by Mrs. Eleanor Roosevelt." Herndon worked subsequently for the Daily Worker, co-edited the short-lived Negro Quarterly: a Review of Negro Life and Culture with Ralph Ellison (1942-1943), and was the editor-in-chief of The People's Advocate, a biweekly newspaper published in 1944 by the Negro Publication Society of America. He left the Party shortly thereafter and relocated to the Midwest. He apparently changed his name around 1937 to Eugene Braxton. He died in 1997.

Scope and Content

The Angelo Herndon papers comprise two series, **CORRESPONDENCE** and **WRITINGS**, in addition to legal and financial documents related to his defense, and some subject files. The collection complements the Angelo Herndon case files in the records of the International Labor Defense available on microfilm. (Sc Micro R-981)

The **CORRESPONDENCE, 1932-1937** series includes Herndon's letters from prison to ILD Secretary William Patterson and Acting Secretary Anna Damon, letters from supporters in the United States and abroad, and correspondence with his publisher.

The Fulton Towers Prison files comprise a physical examination report by an African-American medical doctor, C.W. Powell, who visited Herndon in jail; a fact sheet on the case; and a July 21, 1932 letter from Otto Hall to Communist Party general secretary Earl Browder in New York, detailing mobilization efforts in Atlanta on Herndon's behalf, including appeals to trade-unions, a resolution by white Emory University students, and 10,000 leaflets distributed in one day. Included are letters from lawyers Ben Davis and John Greer, and a November 1935 telegram from Browder announcing the Party's new united front policy against fascism and war. There are also letters of solidarity from members of Angelo Herndon ILD branches, Free Herndon Committees across the country, the national Herndon Petition Committee and a Defend Angelo Herndon children's club in Dallas, Texas.

Herndon's own letters are those of a defiant and alert young man. His initial letters to William Patterson took issue with the lawyers in his defense and criticized the lack of support from local comrades, including Otto Hall who "was too yellow to come to the jail." Even in jail, Herndon continued to organize. Included in the files are three April 1933 letters to Herndon from death row inmate John Downer, found guilty of "attacking a white woman," and a letter from Herndon urging the ILD to take on Downer's case "as a sure way of building the ILD into a mass organization in Georgia and throughout the South." Downer was executed in the spring of 1934. Willie White, another death row inmate, appealed directly to Georgia governor Eugene Talmadge; the letter, in Herndon's handwriting, asserted White's innocence and pleaded for clemency.

Herndon's Campaign files include his correspondence with Anna Damon, Chicago socialite and acting ILD National Secretary, who organized two coast-to-coast tours to mobilize mass support and raise money for Herndon's legal defense. One million signatures were collected on a petition to Governor Talmadge by November 1935. Damon reportedly jumped to her death from a nearby hotel the night Earl Browder called for the dissolution of the American Communist Party in 1944. Other correspondents are A. Phillip Randolph, Walter White, Scottsboro defendant Haywood Patterson, and Pennsylvania Congressman Matthew Dunn who wrote to Talmadge on Herndon's behalf. Talmadge wrote back that he "will be glad to consider the Herndon case" for pardon if an application was made through the proper channels.

Other documents in the Campaign files include a five-page introduction at a Herndon program in Kenosha, Wisconsin, recounting the 1854 capture of fugitive slave Joshua Glover in nearby Racine, and Glover's rescue by local abolitionists. That incident led to a Wisconsin Supreme Court decision declaring the Fugitive Slave Law as unconstitutional. Also included are a four-page anti-communist and anti-semitic rant by a self-described rightwing infiltrator of the Communist Party; and a letter from the American Legion in Atlanta commenting on the Herndon case and on the treatment of "negros (sic) in the South, particularly in Georgia," who "have been treated better than any non-assimiable (sic) race occupying the same territory with a predominant and superior race." With the use of the Insurrection law to convict Herndon came an increase in vigilante activism. The Insurrection law was also used against other union and political organizers, black and white, including the "Atlanta Six."

Two additional correspondence files document Herndon's Supreme Court victory and the release of his autobiography, Let Me Live. Congratulations on the Supreme Court's decision include letters from Roy Wilkins, Assistant Secretary of the National Association for the Advancement of Colored People; American Civil Liberties Union director Roger Baldwin; Walter Baer, a civil engineer facing deportation to Germany in 1937; and Lydia Gibson Minor, the wife of communist cartoonist and journalist Robert Minor, who wanted to paint a portrait of Herndon. The Executive Committee of International Red Aid likened Herndon's "courageous stand before the courts of Georgia" to Georgi Dimitroff's stand against Hermann Goering during the 1934 Reichstag Fire trial in Nazi Germany. Forty members of a Young Communist League branch signed a congratulation letter pledging "to increase the Negro membership within a period of three months...as a toast to your victory and ours." Also included are several dozens telegrams and a celebratory poem by Walter Lowenfels.

In addition to the customary exchanges with his Random House editor, Robert K. Haas, the Let Me Live correspondence includes many letters of appreciation from readers, Communist Party members and would-be distributors. Included is a three-page Herndon rebuttal to the editor of the New York Herald Tribune book review section, which ran a favorable appraisal of the book but concluded that, "Although it has come out as his autobiography, it is clear that while the material is his the writing was done by another hand."

The **WRITINGS** series encompasses the edited typescript of Herndon's autobiography and some of the original documents used as appendices in the book; several speeches given at mass rallies across the country; Herndon's account of a 1936 interview with Communist Party leader Tom Mooney at the San Quentin jail in California; a review of James Ford's The Negro and the Democratic Front, and articles on black history and culture and in defense of the Soviet Union. In a pre-May Day speech in Philadelphia, Herndon called on black and white workers to unite and fight against racial discrimination and the dangers of a new world war: "We remember too well what happened in the last world war. We remember the gold star mothers who were jim crowed when they visited their sons' graves in France." Herndon criticized the New Deal government in the 1936 elections for yielding "to big business and reaction" and denounced the Republican Party, "the Party of Wall Street" as the leader of "the forces preparing for war and the destruction of the few democratic rights the people still have." In a draft article recounting his earlier trial in Georgia, he portrays "the Rev. Solicitor Hudson (a moron and raving maniac)...with tears streaming from his eyes," pleading "in the name of the Lord that I be sent to my death, for God the almighty would be satisfied that justice would have been done, and the daughters of all states officials could walk down the streets safely." Herndon, whose brother Milton died fighting with the International Brigades during the Spanish civil war, also wrote in support of Loyalist Spain and against German fascism. Articles written about Herndon and the Scottsboro Case are also included.

Legal documents in the collection include Herndon's Defendant's Reply brief (Oct. 1933), and a Petition filed by his lawyers, Benjamin Davis and John Greer, in Georgia's Supreme Court (May 1934); Herndon's "Plaintiff-in-Error" appeal to Georgia's Supreme Court calling for a new hearing (1934); a Stay of Execution of the lower court's judgment against Herndon by Georgia's Supreme Court (July 1934); a special issue of the Federal Council of Churches' bulletin, "Information Service" on the Herndon case, together with a letter of protest from Reconciliation Trips of Georgia, calling on Governor Talmadge for a pardon in Herndon's case (1935); and the Decision from Georgia's Supreme Court upholding the lower court decision against Herndon (June 1936).

Publicity and Financial material related to the 1935 Angelo Herndon Tour include 92 one-page reports of mass meetings and other activities in various cities. Each report indicates the total number of participants, fluctuating between 40 and 2,000, the number of new recruits, the approximate number of black attendees, a list of support organizations involved in the local campaign committee, and a breakdown of revenue and expenses. The Herndon Tour extended to well over 50 cities, but avoided most Southern states and other locations where Herndon could be arrested. Campaign literature and other campaign material (leaflets, certificates, form letters, blank petitions, receipts, directives to local committees) are also included.734298

The collection also includes a correspondence and research file on sharecropping and lynching, material from the Youth Branch of the National Negro Congress (1936), miscellaneous correspondence and documents pertaining to Eugene Braxton, Herndon's alias, and Pathway Press memorabilia (founded with Richard B. Moore).

Provenance

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Container List

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CORRESPONDENCE

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|---|--------------------------------------|
| 1 | Fulton Towers Prison, 1932-1934 |
| 2 | Fulton Towers Prison, 1935 |
| 3 | Herndon Campaign, 1933-1935 |
| 4 | Herndon Tour, 1935-1936 |
| 5 | Congratulations on His Victory, 1937 |
| 6 | "Let Me Live," 1936-1938 |

WRITINGS

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| 7 | "Let Me Live" Manuscripts, pp. 1-166 |
| 8 | "Let Me Live" Manuscripts, pp. 167-347 |

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| 1 | "Let Me Live" Manuscripts - Appendices |
| 2 | Herndon Speeches and Other Writings |
| 3 | Articles about Herndon, the Scottsboro Case |
| 4 | Legal |
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| 6 | Research File on Lynching, Sharecropping |
| 7 | National Negro Congress - Youth Branch, 1936 |
| 8 | Pathway Press and Miscellaneous, 1937-1940 |