NEW TRIAL FOR HERNDON DENIED

I.L.D. Plans Appeal to Supreme Court

ATLANTA, Ga., July 6.—A new trial was denied to Angelo Herndon, young Negro organizer of the unemployed, condemned to 18-20 years on the chain gang, by Judge Lee B. Wyatt, the original trial judge, in a decision handed down today. Judge Wyatt last week refused to set bail for Herndon.

The state's evident intention, in this decision, to send him directly to the chain gang to be killed, will be defeated by immediate filing of a notice of appeal to the State Supreme Court, it was announced by John H Geer, young Negro attorney, who, with Benjamin J. Davis Jr., has been retained by the International Labor Defense to defend Herndon.

An appeal for funds to cover the expenses of the appeal to be sent to the national office of the I. L. D., 80 East 11th Street, New York, was issued by the Atlanta section of the organization. The bill of exceptions, on the basis of which the legal appeal will be made, must be prepared and and filed by July 15, it was pointed out.

Protests against the continued imprisonment of Herndon, whose "crime" was that he organized Negro and white unemployed workers into a demonstration which forced additional relief from the county authorities, should be sent to Governor Eugene Talmadge, at Atlanta, Ga.