

**EXPLANATION OF POSITION OF
TALLY D. RIBELL**

As a member of the Board of Trustees of an Institution of Higher Learning it is my desire that the Minutes of the Board of Trustees reflect and the public know my reasons for voting to admit James H. Meredith as a student to the University of Mississippi.

Since the suit of James H. Meredith against the Board of Trustees and others was filed in the United States District Court for the Southern District of Mississippi, the Registrar of the University of Mississippi and the Board of Trustees have taken the position that James H. Meredith was not qualified to be admitted as a student for various reasons including the fact that he was not of such moral character as was necessary for admission to the University. This position was upheld by the United States District Court for the Southern District of Mississippi but was overruled by the United States Court of Appeals for the 5th Circuit. Throughout this case the Board of Trustees has tried same on the theory that Meredith was not a qualified person.

We have been advised by the Attorney General and our legal advisors that we have gone the last mile insofar as any legal remedies are concerned.

I, and other members of the Board of Trustees are now under three injunctions, one issued by the United States Court of Appeals for the 5th Circuit, an injunction issued by Justice Hugo L. Black of the Supreme Court of the United States, and an injunction issued by Honorable S. C. Mize, United States District Judge for Southern District of Mississippi acting pursuant to the order of the Supreme Court which permanently enjoins the Board of Trustees and other defendants from refusing to admit James H. Meredith immediately to the University of Mississippi, from interfering

in any manner with the right of James H. Meredith to matriculate and attend the University of Mississippi, from taking any action or doing any act which will impair, frustrate or defeat his right to enter the University of Mississippi and enjoining the Board from excluding James H. Meredith from admission to continued attendance to the University of Mississippi.

I, and other members of the Board have been requested to deliberately defy valid court orders and refuse to admit Meredith to the University of Mississippi. At the same time, we have been told by the Attorney General, our legal advisors, and the Governor has personally admitted, that to do so, in all probability, will subject the members of the Board to civil and/or criminal contempt which could result in imprisonment in a federal penitentiary and in addition thereto large money fines which could be continued day-by-day as long as a member of the Board is in contempt. It is further admitted by all concerned, including the Governor, that the only way I or any other member of Board might purge himself of contempt is to pay all money penalties and to vote to admit Meredith to the University. As a matter of fact, the Department of Justice has already secured an order from the Fifth Circuit Court of Appeals permitting the filing of contempt proceedings against members of the Board immediately upon defiance of the orders of the Court.

The only people who will be subject to punishment in the event of deliberate contempt of the existing court orders are the members of the Board of Trustees, Dr. E. R. Jabe, its Executive Secretary, Chancellor J. D. Williams, Registrar R. B. Ellis, Dean A. B. Lewis and perhaps their attorneys. The

Governor is not a defendant in the case and cannot assume any blame for this contempt. This the Governor knows and when he tells the public that he is willing to assume the blame he knows that will not prevent the defendants from being punished for contempt. To lead the public to believe otherwise is to mislead the public.

Although the Governor has continually stated that he expects to use all lawful and constitutional means to prevent the entrance of Meredith in the University at the same time he has used every conceivable means of pressure to force the members of the Board to act in an unlawful manner and criminally violate the existing injunctions.

Apparently he is willing to sacrifice and professionally ruin Chancellor Williams, Mr. Ellis, Dr. Jobe and Jean Lewis and every member of the Board when he knows it will not hurt him personally and such action will not keep Meredith out of the University.

I am personally as opposed to the mixing of the races in our institutions of higher learning as any other man in the State, including the Governor of the State, but for more than fifty years I have been taught to believe in law and order and constitutional government and for approximately one-half of that time have been attempting to practice law and apply to these principles. If it were possible that any deliberate defiance of the Court would forever prevent James H. Meredith, or any others of his race from attending the University of Mississippi, I would be willing to do so but everyone who knows the facts and including the legal advisers of the Board of Trustees and including the Governor knows that such

action would be a vain and futile thing.

If the Governor of this State through any of his executive powers can prevent the entrance of James H. Meredith into the University by any legal means, he shall have my full support. However, as a member of the Board of Trustees of Institutions of Higher Learning it will be my purpose to resist any effort on the part of any person to close the University of Mississippi. To do so will work irreparable injury to more than five thousand students and their parents and the damage to the State of Mississippi will be untold for years to come. Even if the University of Mississippi were closed it is my information that Meredith could and would attempt to and in all probability effect a transfer of his application to another institution without delay and in my judgment the United States Fifth Circuit Court of Appeals would order him admitted and continue the present injunctions or some similar injunctions in force. I do not yet believe that a majority of the thinking people of the State including the members of the Legislature are yet ready to abolish any, or all of the institutions of higher learning of this State and I believe the time has come for the public to know all of the facts and not just one side of the picture.

It is unfortunate that political considerations and not the welfare of our institutions and the young men and women who attend them seem to be the motivating force behind the actions of some people in this controversy. As for me, in spite of terrific political pressure, intimidation and threats, I have voted my convictions and have chosen the course which I am convinced is best for our people in the long run.

Hearing and Action on Admission of
James H. Meredith
to the
University of Mississippi

The Board held a full and complete discussion and gave consideration to all factual aspects bearing upon or in anywise related to the admission or non-admission of James H. Meredith as an undergraduate transfer student at the University of Mississippi, and thereafter called upon the Attorney General of the State of Mississippi to furnish the Board with a report and his opinions as to the legal status of this matter; and after such factual and legal matters had been fully and finally presented, discussed and considered, the Chairman of the Board put this question to the members of the Board:

Should James H. Meredith be admitted as an undergraduate student at the University of Mississippi?

The Board unanimously agreed to vote by secret ballot and the ballots having been duly circulated, collected and counted, the Chairman announced that the vote was as follows:

Member voting in the affirmative --- _____
Member voting in the negative ----- _____
Member abstaining _____

BOARD OF TRUSTEES - MISSISSIPPI INSTITUTIONS OF HIGHER LEARNING

THOMAS JEFFERSON TUNE, Chairman, State College Board. - *White affiliate*

HENRY G. CASPENTER, of Rolling Fork, operator of a large plantation.

S. R. ^(Doc)EVANS, of Greenwood, a dealer in seeds and feed products. - *Coleman affiliate*

CHARLES FAIR, of Louisville, an attorney. - *White affiliate*

DR. VERNER S. HUGHES, of McComb, a physician. - *Coleman affiliate*

E. RAY ILARD, of Hattiesburg, a county superintendent of education.

J. H. LIPSCOMB, of Macon, retired dean of agriculture at Mississippi State University, now the operator of a dairy.

LEON LOBEY, of Olive Branch, a general merchant.

IRA L. MORGAN, of Oxford, an appliance store operator

TALLY D. RIDGELL, of Quitman, an attorney. - *Coleman affiliate*

M. M. ROBERTS, of Hattiesburg, an attorney. - *Cornett affiliate*

R. B. SMITH, Jr., of Ripley, a cotton buyer and general merchant.

W. O. STONE, of Jackson, sales representative for a heavy machinery firm and an officer in the company.

E. R. JOSE, Executive Secretary of BOARD OF TRUSTEES.

UNIVERSITY OF MISSISSIPPI OFFICIALS

Chancellor J. D. WILLIAMS, 61

Dean ARTHUR B. LEWIS, about 58

Registrar ROBERT B. ELLIS, about 49

M... ..

[The attorneys for the defendants in the case of *Belmont v. ...* failed to attempt to introduce this affidavit but the court's objections to the introduction of the affidavit made by plaintiff's counsel were sustained by the Court. The judge also did not permit the defendant counsel to read this affidavit publicly but inspected it personally and made its ruling.]

MISSISSIPPI EXECUTIVE DEPARTMENT

COUNTY OF)
) SS:
STATE OF)

I personally appeared before me, the undersigned Secretary of State of the State of Mississippi, the Honorable Ross E. Barnett, the duly elected and acting Governor of the sovereign State of Mississippi, who being by me first duly sworn, states:

The records in the office of the Clerk of the United States District Court for the Southern District of Mississippi reveal that James H. Meredith has moved this Court for a preliminary injunction to force the officials of the University of Mississippi to provide public housing facilities for his Negro wife and child at the 1963 summer term of the University; and further reveal that another Negro, promoted and financed by professional race agitators, has secured from the Court a temporary restraining order and now simultaneously seeks a preliminary injunction forcing his admission to the School of Law of the University for the same summer term.

A tense and abnormal atmosphere has prevailed at the University and, indeed, throughout the State of Mississippi since September 30, 1942, when our University campus was occupied by Nazi and the United States Army.

Continuously since September 30, 1963 the property of the people of this great and indestructible State has been under military occupation by the armed forces of the United States in order to intimidate and oppress the people of this State.

While the State government is physically powerless to overcome this suspension and derogation of its constitutional rights by the superior might of the federal armed forces, it is more than certain that the free spirit and stout hearts of the citizens of Mississippi remain undaunted in their determination to preserve the Tenth Amendment to the Constitution of the United States which gives unto the States the right to control and operate their own internal affairs and especially their educational institutions.

The tempers of loyal Mississippians of every race have been aroused and provoked to fever pitch, the like of which I have never seen equaled before, by these efforts and by the lawless, senseless demonstrations which have been and are being promoted and sponsored in the municipalities of Greenwood and Jackson by alien agitators, provocateurs and mercenaries who have come into our midst as modern-day carpetbaggers to dupe the foolish and trick the irresponsible into aiding them in the creation of racial unrest and to assist them in the destruction of the personal and property rights of citizens by creating and provoking breaches of the peace and by fomenting violence and disorder. If it had not been for the splendid leadership and the unselfish devotion to duty shown by the officials and peace officers of

these fine cities these racial exaltations would already have achieved their infamous purposes. Had they been successful, the splendid relations which have existed between the races in this State for decades would have been obliterated and men of good-will of all races would be caused to develop these antagonisms and discord which inevitably results in turmoil, strife and bloodshed when passions explode races.

As Governor, my oath of office obligates me to see that the laws of this State are faithfully executed and that peace and good order prevail.

I have attempted to persuade the law school applicant through his friends and advisers to consider these matters and I have urged that if his interests be in obtaining an education that he attend some other law school where his presence would not be accompanied by the pressures of increased racial tension, unrest and disturbances which will probably accompany his forced entrance at the University of Mississippi; and I continue to insist that if education is his motive, wise counsel demands that this should be his course, and he has been so advised.

For all of the foregoing reasons, I am convinced that it is my duty to file this affidavit so that this Court may be fully apprised.

With great deference and respect I urge this Honorable Court to deny each and both of these motions forthwith and respectfully suggest that the granting of each of them, would be, in my sincere opinion and the conscientious exercise of my best judgment,

under the extreme and important because I am convinced that they may well lead to discord, disorder, strife and disturbance against the peace and dignity of the State of Mississippi.

~~John H. ...~~
Gov. of the State of Mississippi

Sworn to and subscribed before me
this 2nd day of June A.D., 1963

~~John H. ...~~
Secretary of State



M. V. L.

Department of Justice

STATEMENT BY ATTORNEY GENERAL ROBERT F. KENNEDY - JANUARY 7, 1963

Of course, the situation at the University of Mississippi has been very difficult for Mr. Meredith.

Many members of the faculty have made an effort in the highest traditions of their profession to obey the Court's orders and assist Mr. Meredith in getting an education. But it is true that a number of officials charged with the administration of the University have not met their responsibilities. It is incumbent upon them and state law enforcement officials to make it possible for Mr. Meredith to continue his education without interruption. I would hope that they will take appropriate steps now to do so.

Mr. Meredith is as free to leave the school as he was to enter it. I would hope that in making a final decision on this, Mr. Meredith will consider that he chose to go to the University of Mississippi and the energies and hopes of many of his fellow citizens have been involved in his admission and continued attendance.

Should Mr. Meredith feel obliged to leave the University because of extreme racial intolerance which has focused hostility on him, it would be a reflection on the University of Mississippi and the State of Mississippi. That this could occur anywhere in the United States is a reflection on all of us.



0 0 Meredith v Fair
Department of Justice

FOR IMMEDIATE RELEASE
TUESDAY, DECEMBER 11, 1962

Enforcement of court orders requiring the admission of James H. Meredith to the University of Mississippi cost the Department of Justice an estimated \$406,508 between September 15 and October 31, Attorney General Robert F. Kennedy said today.

The bulk of the expense, \$292,769, was for overtime pay and travel expenses for deputy United States Marshals, Mr. Kennedy said. Overtime pay totaled \$190,715 and travel totaled \$102,054.

A total of 541 deputy marshals and specially deputized Border Patrolmen and Bureau of Prisons personnel were sent to the University of Mississippi to prevent interference with the court orders.

Other expense included \$67,723 for supplies and equipment, \$23,469 for communications; and \$22,547 for miscellaneous -- including \$11,668 for repairs to vehicles damaged during rioting on the University campus on the night of September 30.

EXPLANATION OF POSITION OF
TALLY D. RIDBLL

As a member of the Board of Trustees of an Institution of Higher Learning it is my desire that the Minutes of the Board of Trustees reflect and the public know my reasons for voting to admit James H. Meredith as a student to the University of Mississippi.

Since the suit of James H. Meredith against the Board of Trustees and others was filed in the United States District Court for the Southern District of Mississippi, the Registrar of the University of Mississippi and the Board of Trustees have taken the position that James H. Meredith was not qualified to be admitted as a student for various reasons including the fact that he was not of such moral character as was necessary for admission to the University. This position was upheld by the United States District Court for the Southern District of Mississippi but was overruled by the United States Court of Appeals for the 5th Circuit. Throughout this case the Board of Trustees has tried same on the theory that Meredith was not a qualified person.

We have been advised by the Attorney General and our legal advisors that we have gone the last mile insofar as any legal remedies are concerned.

I, and other members of the Board of Trustees are now under three injunctions, one issued by the United States Court of Appeals for the 5th Circuit, an injunction issued by Justice Hugo L. Black of the Supreme Court of the United States, and an injunction issued by Honorable S. C. Mize, United States District Judge for Southern District of Mississippi acting pursuant to the order of the Supreme Court which permanently enjoins the Board of Trustees and other defendants from refusing to admit James H. Meredith immediately to the University of Mississippi, from interfering

in any manner with the right of James H. Meredith to matriculate and attend the University of Mississippi, from taking any action or doing any act which will impair, frustrate or defeat his right to enter the University of Mississippi and enjoining the Board from excluding James H. Meredith from admission to continued attendance to the University of Mississippi.

I, and other members of the Board have been requested to deliberately defy valid court orders and refuse to admit Meredith to the University of Mississippi. At the same time, we have been told by the Attorney General, our legal advisors, and the Governor has personally admitted, that to do so, in all probability, will subject the members of the Board to civil and/or criminal ^{contempt} court which could result in imprisonment in a federal penitentiary and in addition thereto large money fines which could be continued day-by-day as long as a member of the Board is in contempt. It is further admitted by all concerned, including the Governor, that the only way I or any other member of Board might purge himself of contempt is to pay all money penalties and to vote to admit Meredith to the University. As a matter of fact, the Department of Justice has already secured an order from the Fifth Circuit Court of Appeals permitting the filing of contempt proceedings against members of the Board immediately upon defiance of the orders of the Court.

The only people who will be subject to punishment in the event of deliberate contempt of the existing court orders are the members of the Board of Trustees, Dr. E. R. Jabe, its Executive Secretary, Chancellor J. D. Williams, Registrar R. B. Ellis, Dean A. B. Lewis and perhaps their attorneys. The

Governor is not a defendant in the case and cannot assume any blame for this contempt. This the Governor knows and when he tells the public that he is willing to assume the blame he knows that will not prevent the defendants from being punished for contempt. To lead the public to believe otherwise is to mislead the public.

Although the Governor has continually stated that he expects to use all lawful and constitutional means to prevent the entrance of Meredith in the University at the same time he has used every conceivable means of pressure to force the members of the Board to act in an unlawful manner and criminally violate the existing injunctions.

Apparently he is willing to sacrifice and professionally ruin Chancellor Williams, Mr. Ellis, Dr. Jabe and Jean Lewis and every member of the Board when he knows it will not hurt him personally and such action will not keep Meredith out of the University.

I am personally as opposed to the mixing of the races in our institutions of higher learning as any other man in the State, including the Governor of the State, but for more than fifty years I have been taught to believe in law and order and constitutional government and for approximately one-half of that time have been attempting to practice law and apply to these principles. If it were possible that any deliberate defiance of the Court would forever prevent James H. Meredith, or any others of his race from attending the University of Mississippi, I would be willing to do so but everyone who knows the facts and including the legal advisors of the Board of Trustees and including the Governor knows that such

action would be a vain and futile thing.

If the Governor of this State through any of his executive powers can prevent the entrance of James H. Meredith into the University by any legal means, he shall have my full support, however, as a member of the Board of Trustees of Institutions of Higher Learning it will be my purpose to resist any effort on the part of any person to close the University of Mississippi. To do so will work irreparable injury to more than five thousand students and their parents and the damage to the State of Mississippi will be untold for years to come. Even if the University of Mississippi were closed it is my information that Meredith could and would attempt to and in all probability effect a transfer of his application to another institution without delay and in my judgment the United States Fifth Circuit Court of Appeals would order him admitted and continue the present injunctions or some similar injunctions in force. I do not yet believe that a majority of the thinking people of the State including the members of the Legislature are yet ready to abolish any, or all of the institutions of higher learning of this State and I believe the time has come for the public to know all of the facts and not just one side of the picture.

It is unfortunate that political considerations and not the welfare of our institutions and the young men and women who attend them seem to be the motivating force behind the actions of some people in this controversy. As for me, in spite of terrific political pressure, intimidation and threats, I have voted my convictions and have chosen the course which I am convinced is best for our people in the long run.

**A PUBLIC PROCLAMATION
of the
GOVERNOR
of the
STATE OF MISSISSIPPI**

WHEREAS, the United States of America consists of fifty (50) Sovereign States bound together basically for their common welfare; and

WHEREAS, the Constitution of the United States of America provides that each state is sovereign with respect to certain rights and powers; and

WHEREAS, pursuant to the Tenth Amendment to the Constitution of the United States, the powers not specifically delegated to the Federal Government are reserved to the several states; and

WHEREAS, the operation of the public school system is one of the powers which was not delegated to the Federal Government but which was reserved to the respective states pursuant to the terms of the Tenth Amendment; and

WHEREAS, we are now face to face with the direct usurpation of this power by the Federal Government through the illegal use of judicial decree:

NOW, THEREFORE, I, Ross R. Barnett, Governor of the Sovereign State of Mississippi by authority vested in me, do hereby proclaim that the operation of the public schools, universities and colleges of the State of Mississippi is vested in the duly elected and appointed officials of the State; and I hereby direct each said official to uphold and enforce the laws duly and legally enacted by the Legislature of the State of Mississippi, regardless of this unwarranted, illegal and arbitrary usurpation of power; and to interpose the State Sovereignty and themselves between the people of the State and any body-politic seeking to usurp such power.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Mississippi to be affixed, on this the 13th day of September, in the Year of Our Lord, One Thousand Nine Hundred and Sixty-Two.

[SEAL]

**/s/ Ross R. Barnett
GOVERNOR**

**ATTEST:
/s/ Heber Ladner
SECRETARY OF STATE**

21/ 91
Mississippi
Executive Department
Jackson

TO: ALL SHERIFFS AND LAW ENFORCEMENT OFFICERS OF THE
STATE OF MISSISSIPPI, INCLUDING LAW ENFORCEMENT
OFFICERS OF OUR COUNTIES AND MUNICIPALITIES:

Pursuant to the authority vested in me under the Constitution and the Laws of the State of Mississippi, I, Ross R. Barnett, Governor of the State of Mississippi, do hereby interpose and invoke the police powers of the State of Mississippi in order to secure the people of the State of Mississippi, and to prevent violence and a breach of the peace, and to assure that the peace and security of the State of Mississippi are fully protected, and for the protection of all citizens of the State of Mississippi, and all others who may be within the confines of the State of Mississippi; any and all orders to the contrary notwithstanding.

Therefore, you are hereby authorized and directed to proceed to do all things necessary that the peace and security of the people of the State of Mississippi are fully protected. Take due notice thereof and govern yourselves accordingly.

IN WITNESS WHEREOF, I have hereunto
set my hand and caused the Great Seal
of the State of Mississippi to be affixed,
on this the 25th day of September, A. D.,
1962.

/s/ Ross R. Barnett
GOVERNOR

ATTEST:

/s/ Heber Ladner
SECRETARY OF STATE

[SEAL]

A PUBLIC PROCLAMATION
of the
GOVERNOR
of the
State of Mississippi

WHEREAS, the Constitution of the United States of America provides that each state is sovereign with respect to certain rights and powers; and

WHEREAS, pursuant to the Tenth Amendment to the Constitution of the United States, the powers not specifically delegated to the Federal Government are reserved to the several states; and

WHEREAS, we are now face to face with the direct usurpation of this power by the Federal Government through the illegal use of judicial decree; and

WHEREAS, all public officials of the State of Mississippi have the legal right, obligation and duty not to acquiesce, impair, waive or surrender any of the rights of the Sovereign State of Mississippi; and

WHEREAS, any acts upon the part of representatives of the federal government to arrest or fine any state official who endeavors to enforce the law of Mississippi, are illegal according to the law of the State of Mississippi, and federal courts have likewise established ample and perfect precedence in the matter:

NOW, THEREFORE, I, Ross R. Barnett, Governor of the State of Mississippi, by the authority vested in me under the Constitution and laws of the State of Mississippi, do hereby proclaim and direct that the arrest or attempts to arrest, or the fining or the attempts to fine, of any state official in the performance of his official duties, by any representative of the federal government, is illegal and such representative or representatives of said federal government are to be summarily arrested and jailed by reason of any such illegal acts in violation of this Executive Order and in violation of the laws of the State of Mississippi.

[SEAL]

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Mississippi to be affixed, on this the 24th day of September, in the year of our Lord, One Thousand Nine Hundred and Sixty-Two.

ATTEST:

/s/ Ross R. Barnett
GOVERNOR

/s/ Beber Ladner

SECRETARY OF STATE

REGISTRAR'S ORDER NO. 1

TO THE FACULTY AND MEMBERS OF THE UNIVERSITY OF
MISSISSIPPI AND OTHERS:

I, ROSS R. BARNETT, having been duly appointed on the 20th of September, 1962, by order, a certified true copy of which is attached hereto, of the Board of Trustees of Institutions of Higher Learning, as Registrar of the University of Mississippi, for the sole purposes of registration or non-registration, enrollment or non-enrollment, or rejection or non-rejection of the application of James Howard Meredith, do hereby order, as Registrar of the University of Mississippi, that no person shall register, enroll or otherwise admit James Howard Meredith to the University of Mississippi or upon the campus of the University of Mississippi without a written registration and/or enrollment slip from me, the Registrar.

This order shall be duly served by a member of the Department of Public Safety upon all officials of the University of Mississippi and upon all law enforcement officers of Lafayette County, Mississippi.

Ordered this, the 21st day of September, 1962.

/s/ Ross R. Barnett
ROSS R. BARNETT, REGISTRAR OF THE
UNIVERSITY OF MISSISSIPPI

Mississippi
Executive Department
Jackson

TO THE BOARD OF TRUSTEES OF INSTITUTIONS OF HIGHER
LEARNING OF THE STATE OF MISSISSIPPI, THE REGISTRAR
OF THE UNIVERSITY OF MISSISSIPPI, AND ALL AUTHORITIES
CONCERNED:

Pursuant to the authority vested in me under the
Constitution and the Laws of the State of Mississippi, I, Ross R.
Barnett, Governor of the State of Mississippi, do hereby interpose
and invoke the police powers of the State of Mississippi in order to
secure the peace of the State of Mississippi and for the protection
of all the citizens of the State of Mississippi and others who may be
within the confines of the State of Mississippi:

You are hereby directed to refuse the admission to
the University of Mississippi of James H. Meredith, and any other
person, who in my opinion, by such admission, would create a
breach of the peace and be contrary to the administrative procedures
and regulations of the University of Mississippi, and the laws of the
State of Mississippi.

Please take due notice thereof and govern yourselves
accordingly.

[SEAL]

IN WITNESS WHEREOF, I have
hereunto set my hand and caused
the Great Seal of the State of
Mississippi to be affixed, on this
the 20th day of September, A.D.,
1962.

/s/ Ross R. Barnett

G O V E R N O R

ATTEST:

/s/ Heber Ladner
Secretary of State

Mississippi
Executive Department
Jackson

**TO JAMES H. MEREDITH, APPLICANT FOR ADMISSION AS
A STUDENT AT THE UNIVERSITY OF MISSISSIPPI:**

Pursuant to the authority vested in me under the Constitution and the laws of the State of Mississippi, I, Ross R. Barnett, Governor of the State of Mississippi, do hereby interpose and invoke the police powers of the State of Mississippi in order to secure the people of the State of Mississippi and for the protection of all citizens of the State of Mississippi, and all others who may be within the confines of the State of Mississippi.

Therefore, you, James H. Meredith, are hereby refused admission as a student to the University of Mississippi, and any other person or persons who, in my opinion, by such admission, would lead to a breach of the peace and be contrary to the administrative procedures and regulations of the University of Mississippi and the laws of the State of Mississippi.

Take due notice thereof and govern yourself accordingly.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Mississippi to be affixed, on this the 20th day of September, A.D., 1962.

/s/ Ross R. Barnett

GOVERNOR

ATTEST:

/s/ Heber Ladner

SECRETARY OF STATE

THE UNIVERSITY OF MISSISSIPPI

University, Mississippi

ADMISSION CERTIFICATE

This is to certify that

**has been accepted for admission to The University of
Mississippi**

for the

_____ **enrollment period and date**

School

Major or

Specialization

Classification

Condition

Robert B. Ellis, Registrar

**This certificate must be presented by the
student to the Registrar at registration**

**CONSTITUTIONAL PROVISION AND STATUTES OF MISSISSIPPI
RELATING TO THE BOARD OF TRUSTEES OF STATE
INSTITUTIONS OF HIGHER LEARNING**

Constitution of State of Mississippi

Section 213-A. The State institutions of higher learning now existing in Mississippi, to-wit: University of Mississippi, Mississippi State College, Mississippi State College for Women, Mississippi Southern College, Delta State Teachers' College, Alcorn Agricultural and Mechanical College, and Mississippi Negro Training School, and any others of like kind which may be hereafter organized or established by the State of Mississippi, shall be under the management and control of a Board of Trustees to be known as the Board of Trustees of state institutions of higher learning, the members thereof to be appointed by the Governor of the State with the advice and consent of the Senate.

The Governor shall appoint only men or women as such members as shall be qualified electors residing in the district from which each is appointed, and at least twenty-five years of age, and of the highest order of intelligence, character, learning, and fitness for the performance of such duties, to the end that such Board shall perform the high and honorable duties thereof to the greatest advantage of the people of the State of such educational institutions, uninfluenced by any political considerations. There shall be appointed one member of such Board from each Congressional District of the State as now existing, and one member from each Supreme Court District, and two members shall be appointed from the State at Large. The term of office of said Trustees herein provided for shall begin May 8, 1944; and it shall be the duty of the Governor to make such appointments during the regular session of the Legislature of Mississippi in 1944; and one-third of the membership of said Board shall be appointed for a period of four years; one-third for a period of eight years; and one-third for a period of twelve years; and thereafter their successors shall hold office for a period of twelve years. The members of the Board of Trustees as constituted at the time this amendment shall be inserted in the Constitution as a part thereof shall continue to hold office until their respective terms expire under existing law, after which time the membership of the Board shall consist of the number hereinabove provided for. In case of a vacancy on said Board by death or resignation of a member, or from any other cause than the expiration of such member's term of office, the

Board shall elect his successor, who shall hold office until the end of the next session of the Legislature. During such term of the session of the Legislature the Governor shall appoint the successor member of the Board from the district from which his predecessor was appointed, to hold office until the end of the period for which such original Trustee was appointed, to the end that one-third of such Trustee's terms will expire each four years.

One trustee in addition to the above shall be appointed by the Governor for the University of Mississippi, who shall have a vote only in matters pertaining to the University, and which Trustee shall be a resident citizen of DeSoto County, to be known as the Trustee for the La Bauve Fund, and serve for a term of four years to commence from the date of appointment.

Such Board shall have the power and authority to elect the heads of the various institutions of higher learning, and contract with all deans, professors and other members of the teaching staff, and all administrative employees of said institutions for a term not exceeding four years; but said Board shall have the power and authority to terminate any such contract at any time for malfeasance, inefficiency or contumacious conduct, but never for political reasons.

Nothing herein contained shall in any way limit or take away the power of the Legislature had and possessed, if any, at the time of the adoption of this amendment, to consolidate or abolish any of the above named institutions.

§6719. Board of Trustees.--The state institutions of higher learning now existing in the state, to wit:

University of Mississippi,
Mississippi State College
Mississippi State College for Women,
Mississippi Southern College,
Delta State Teachers College,
Alcorn Agricultural & Mechanical College,
Mississippi Negro Training School, and any other of like kind which may be hereafter established by the state, shall be under the management and control of a board of trustees to be known as the board of trustees of state institutions of higher learning.

§6720. Same--appointment--terms, etc.--- As soon as practicable after the passage of this act and during the regular session of the legislature in 1944, the governor, by and with the advise and consent of the senate, shall appoint the members of the board, one member from each congressional district of the state as now existing, one member from each supreme court district and two members from the state at large, with the terms of each to begin on the 8th day of May 1944; one third of the membership of said board so appointed shall be appointed for a period of four years, one third for a period of eight years and one third for a period of twelve years. On the expiration of any of said terms of office the governor shall appoint successors by and with the advice and consent of the senate, for terms of twelve years in each case. In addition one trustee shall be appointed by the governor for the university of Mississippi, who shall have a vote only in matters pertaining to the university and who shall be resident citizen of DeSoto county, Mississippi, and be known as the trustee for the Le Baue fund, who shall serve for a period of four years to commence from the date of appointment.

In case of a vacancy on said board by death or resignation of a member or from any other cause than the expiration of such member's term of office the board shall elect his successor, who shall hold office until the end of the

next session of the legislature. During such term of the session of the legislature the governor shall appoint the successor member of the board from the district from which his predecessor was appointed, to hold office until the end of the period or term for which said original trustee was appointed, to the end that one third of such trustees' term shall expire each four years.

The members of the board of trustees as constituted when Senate Concurrent Resolution No. 11 [Const. §213-A] was inserted as a part of the constitution shall continue to hold office until their respective terms shall expire under the terms of law under which they were appointed, after which time the membership of the board shall consist of the number herein above provided for.

§6722. Organization and duties.-- Within ten days after the beginning of the terms of office of said members, upon call of the governor, the board shall meet in the city of Jackson and organize by electing one of their number as president, whose term of office shall be for one year or until a successor shall be elected, shall transact such other business as may come before the meeting. When the presiding officer has voted and the result is a tie, he cannot vote again to break the tie. The trustees shall have authority to appoint a non-member as executive secretary, who shall be a well qualified educational research worker and administrator, and who shall maintain an office with such clerical help as the board may deem necessary. It shall be the duty of the executive secretary to make constant inquiry into the problems of higher education; to survey and study carefully the organization, management, and all other affairs of each institution under the control of said trustees; and to make report of all findings and recommend such changes as will increase efficiency and economy in the operation of each institution; and to perform such other duties as the board may prescribe. The trustees shall also have the authority to employ a non-member as auditor and to define such auditor's duties. The executive secretary and the auditor shall each receive a reasonable salary to be fixed by the board which, with their reasonable traveling expenses and the expenses of the executive office, shall be pro-rated and deducted from the appropriations for the current expenses of the several institutions. The executive secretary shall devote his entire time to the duties of his office and the auditor shall devote such

time to the duties of his office as the board may direct, but if the entire time of the auditor is not devoted to duties of his office, such shall be taken into consideration by the board in fixing his salary thereunder.

§6723. Compensation and meetings.-- The board of trustees shall serve without salary compensation, but shall receive a per diem of seven dollars and fifty cents (\$7.50) including the time of going to and returning from meetings of said board together with actual travel and hotel expenses incident to meetings of the board and in the discharge of duties prescribed by the board. The traveling expenses and per diem of the members of the board of trustees shall be paid on an itemized statement approved by the president from the funds of the institution in whose behalf the services are rendered, or, when rendered in behalf of several institutions, prorated among them. The board of trustees shall hold two regular stated meetings annually, one in June and the other in January, and as many special meetings as may be necessary on call of the president, or on call of five members. In either case, the call shall be in writing and shall be mailed by registered letter with return receipt requested to each and every member at least five days prior to the date of meeting. So long as there are sixteen members of the board, for the transaction of business pertaining to the university, ten members shall constitute a quorum, for that pertaining to the colleges, nine members shall constitute a quorum. When the membership of the board shall consist of thirteen members, for the transaction of business pertaining to the university, nine members shall constitute a quorum; for that pertaining to the colleges, eight members shall constitute a quorum.

§6724. Powers and duties of the board.--(a) The board of trustees of state institutions of higher learning shall succeed to and continue to exercise control of all records, books, papers, equipment, and supplies, and all lands, buildings, and other real and personal property now or hereafter belonging to or assigned to the use and benefit of the statutory board of trustees now supervising and controlling the institutions of higher learning heretofore named in this act and shall have and exercise control of the use, distribution and disbursement of

all funds, appropriations and taxes, now and hereafter in possession, levied and collected, received, or appropriated for the use, benefit, support, and maintenance or capital outlay expenditures of the institutions of higher learning, including the authorization of employees to sign vouchers for the disbursement of funds for the various institutions, except where otherwise specifically provided by law.

(b) The board shall have general supervision of the affairs of all the institutions of higher learning; the departments and the schools [the power in their discretion to determine who shall be privileged to enter, to remain in, or to graduate therefrom]*; the conduct of libraries and laboratories; the care of dormitories, buildings, and grounds; the business methods and arrangement of accounts and records; the organization of the administrative plan of each institution; and all other matters incident to the proper functioning of the institutions.

(c) The trustees shall exercise all the powers and prerogatives conferred upon them under the laws establishing and providing for the operation of the several institutions herein specified; they shall adopt such by-laws and regulations from time to time as they deem expedient for the proper supervision and control of the several institutions of higher learning, in so far as such by-laws and regulations are not repugnant to the constitution and laws, and not inconsistent with the object for which the institutions were established; they shall have power and authority to prescribe rules and regulations for policing the campuses and all buildings of the respective institutions, to authorize the arrest of all persons violating on any campus any criminal law of the state, and to have such law violators turned over to the civil authorities.

(d) For all institutions specified in this act, the trustees shall provide a uniform system of recording and of accounting approved by the state auditing department, and prepare a biennial report to the legislature setting forth the disbursements of all moneys appropriated to the respective institutions. They shall biennially prepare, or cause to be prepared, a budget for each institution of higher learning for the succeeding biennium, which must be prepared and in readiness for at least thirty days before the convening of the regular session of the legislature. All relationships and negotiations between the state legislature and its various committees and the institutions named in this act shall be carried on through the board of trustees. No official, employee or agent representing any of the separate institutions shall appear before the legislature or any committee thereof except upon the written order of the board or upon the request of the legislature or a committee thereof.

(e) Each report to the legislature shall show how the money appropriated to the several institutions has been expended during the two preceding sessions and the time between them, beginning and ending with the fiscal years of the institutions, showing the name of each teacher, officer, and employee, and the salary paid each, and an itemized statement of each and every item of receipts and expenditures. Each report must be balanced, and must begin with the former balance; and, if any property belonging to the state or the institution is used for profit, the reports shall show the expense incurred in managing the property and the amount received therefrom. The reports shall also show a summary of the gross receipts and gross disbursements for each year and for each biennial period, and shall show the money on hand at the beginning of the fiscal period of the institution next preceding each session of the legislature and the necessary amount of expense to be incurred from said date to January first following. The trustees shall keep the biennial expenditures of each institution herein mentioned within the income derived from legislative appropriations and other sources, but in case of emergency arising from acts of providence, epidemics, fire or storm with the written approval of the governor and by written consent of a majority of the senators and of the representatives they may exceed the income. The trustees shall require a surety bond in a surety company authorized to do business in this state, of every employee who is the custodian of funds belonging to one or more of the institutions mentioned herein, which bond shall be in a sum to be fixed by the board of trustees in an amount that will properly safeguard the said funds, the premium for which shall be paid out of the funds appropriated for said institutions.

(f) The board shall have the power and authority to elect the heads of the various institutions of higher learning and to contract with all deans, professors, and other members of the teaching staff, and all administrative employees of said institutions for a term of not exceeding four years; but said board shall have the power and authority to terminate any such contract at any time for malfeasance, inefficiency, or contumacious conduct, but never for political reasons. It shall be the policy of the board to permit the executive head of each institution to nominate for election by the board all subordinate employees of the institution over which he presides. It shall be the policy of the board to elect all officials for a definite term of service and to reelect during the period of satisfactory service. The board shall have the power to make any adjustments they think necessary between the various departments and schools of any institution or between the different institutions.

(g) The board shall keep complete minutes and records of all proceedings which shall be open for inspection by any citizen of the state.

SPEECH DELIVERED BY GOVERNOR ROSS R. BARNETT
ON SEPTEMBER 13, 1962

The powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively or to the people. These are not my words. These words are the Tenth Amendment to the Constitution of the United States.

Ladies and gentlemen, my friends and fellow Mississippians, I speak to you as your Governor in a solemn hour in the history of our great state, in a solemn hour, indeed, in our nation's history. I speak to you now in the moment of the greatest crisis since the war between the States.

In the absence of Constitutional authority and without legislative action, an ambitious Federal Government, employing naked and arbitrary power, has decided to deny us the right of self-determination in the conduct of the affairs of our sovereign state. Having long since failed in their efforts to conquer the indomitable spirit of the people of Mississippi and their unshakable will to preserve the sovereign majesty of our commonwealth, they now seek to break us physically with the power of force and, even now, as I speak to you tonight, professional agitators, an unfriendly liberal press and other troublemakers are pouring across our borders, intent upon instigating strife among our people. Paid propagandists are continually hammering away at us in the hope that they will succeed in bringing about a division among us. Every effort is being made to intimidate us into submission to the tyranny of judicial oppression. The Kennedy Administration is lending the power of the Federal Government to the ruthless demands of these agitators. Thus we see our own Federal Government teamed up with a motly array of un-American pressure groups against us. This is the crisis, my friends, that we face tonight.

"Principles" is a little word. It is easy to speak and to spell in print is easily overlooked, but it is a word that

is tremendous in its import and meaning, denoting respect and obedience to those fundamental and eternal truths that should be respected and form the way of life of all honest and right-thinking people. Expediency, my friends, is for the hour. Principles are for the ages. Principles are a passion for truth and right and justice and, as long as the rains descend and the winds blow, it is but folly to build upon the shifting sands of political expediency. It is better for one's blood to be poisoned than for one to be poisoned in his principles. So deep and compelling were the convictions and the principles of our forefathers they risked even death to establish this now desecrated Constitution as the American Way of Life and handed it to us in trust as the sacred heritage for our preservation. The day of expediency is past. We must either submit to the unlawful dictates of the Federal Government, or stand up like men and tell them and say to them plainly, "Never." The day of reckoning has been delayed as long as possible. It is now upon us. This is the day and this is the hour.

And knowing you as I do, there is no doubt in my mind what the overwhelming majority of loyal Mississippians will do. They will never submit to the moral degradation and the shame and the ruin which have faced all others, my friends, and who lacked the courage to defend their beliefs. I have made my position in this matter crystal clear. I have said in every county in Mississippi that no school in our state will be integrated while I am your Governor. I repeat this to you tonight, No school will be integrated in Mississippi while I am your Governor.

Lest there be misgivings in some quarters about the immediate status of the University of Mississippi and other public schools, I assure you that they will not be closed if this can possibly be avoided, but they will not be integrated. And, as your Governor and Chief Executive of the Sovereign State of Mississippi, I now call on every public official and every private citizen of our great state to join with me in refusing, in every legal and every constitutional way, and every way and every manner, my friends, available to submit to illegal usurpation of power by the Kennedy Administration. I especially call upon the officials, both elected and appointed, in the

State of Mississippi, to join hands with the people and resist by every legal and Constitutional means the tyrannical edicts which have been and will be directed against the patriotic citizens of our great State.

I am not willing to ask men to do that which I would not do myself and, in that spirit, I say to you that there is no sacrifice which I will shrink from making to preserve the racial integrity of our people and institutions. Every man holding public office should feel the same way. Every public official, including myself, should be prepared to make the choice tonight whether he will submit or whether he is willing to go to jail, if necessary, to keep faith with the people who have placed their welfare in his hands. If there be any official who is not prepared to suffer imprisonment for this righteous cause, I ask him now to submit his resignation and it will be accepted without prejudice. A man who is prepared and who will stand steadfast will be appointed to take his place. If these measures should be considered extreme, they are evoked by extreme provocation for which we are in no way responsible. There is no cause which is more moral and just than the protection of the integrity of our races and, to this end, we, as parents, will do everything that is necessary to defend those who are most dear to us. There is no case in history where the Caucasian race has survived social integration. We will not drink from the cup of genocide.

Mississippi, as a Sovereign state, has the right under the Federal Constitution to determine for itself what the Federal Constitution has reserved to it.

The Mississippi Legislature, in 1956, asserted this right in no uncertain terms by the passage of Chapter 466 of the Laws of 1956, invoking the historic doctrine of interposition to protect the sovereignty of this state and its constitutionally guaranteed exclusive right to control and regulate its own internal affairs.

This is the law of the State of Mississippi. It is my sworn duty to uphold the law of our great state.

The last hope of our Constitutional form of government rests with the conscientious enforcement of state laws; and the perpetuation of the sovereignty of the states and, without this, there can be no government of, by and for the people. If our nation is to survive,

we must maintain strong State Governments and unity in matters of national security. Therefore, in obedience to legislative and constitutional sanction, I interpose the rights of the Sovereign State of Mississippi to enforce its laws and to regulate its internal affairs without interference on the part of the Federal Government or its officers and, in my official capacity as Governor of the State of Mississippi, I hereby make this proclamation:

Whereas, the United States of America consists of fifty Sovereign States bound together basically for their common welfare; and

Whereas, the Constitution of the United States of America provides that each state is sovereign with respect to certain rights and powers; and

Whereas, pursuant to the 10th Amendment of the Constitution of the United States, the powers not specifically delegated to the Federal Government are reserved to the several states; and

Whereas, the operation of the public school system is one of the powers which was not delegated to the Federal Government, but which was reserved to the respective states pursuant to the terms of the 10th Amendment; and

Whereas, we are now face to face with the direct usurpation of this power by the Federal Government through the illegal use of judicial decree:

Now, therefore, I, Ross R. Barnett, as Governor of the Sovereign State of Mississippi, by authority vested in me, do hereby proclaim that the operation of the public schools, universities and colleges of the State of Mississippi is vested in the duly-elected and appointed officials of the State of Mississippi and I hereby direct each of said officials to uphold and enforce the laws duly and legally enacted by the Legislature of the State of Mississippi, regardless of this unwarranted and illegal and arbitrary usurpation of power; and to interpose the State Sovereignty and themselves between the people of the state and any body-politic seeking to usurp such power.

The State of Mississippi has become the keystone in the fight for State's Rights. Our nation's survival as a Republic of Sovereign States depends on what we do in this crisis. Should we

fail and the keystone be removed, our system of government will crumble and will fall, and American liberty will be lost forever in the ruins.

Therefore, my friends, let us stand together as loyal Mississippians and as patriotic Americans, and hold fast against this grave threat to our liberties. Mississippians have never faltered in times of crisis, and we shall not fail now.

Generations ago our ancestors pledged their lives, their fortunes, and their sacred honor to establish on this continent a government of the people, by the people, and for the people. Succeeding generations defended their liberties with blood and with sweat and with tears at Valley Forge, at Shiloh and at Vicksburg, in the Argonne, at Guadalcanal and on the Heartbreak Hills of Korea. Thank God for Them!

Our general now faces this new challenge to our liberties. The burning question in the minds of the American people today is whether, in this crisis, we will exhibit the same courage, the same devotion to deathless principles, and the same determination to guarantee the blessings of liberty to future generations as was shown by those patriots who have gone before.

Fellow Mississippians, let us stand together, hand in hand, mind in mind, unyielding and unafraid. We know that our cause is just and we know it is right. Let us meet this crisis with dignity, with courage and with fortitude, and show to the world that we are people of honor, that we do not, we will not surrender to the evil and illegal forces of tyranny.

Should the actions on the part of any of the public officials of Mississippi be construed as being in contempt of Federal Courts, then in such event, my friends, I humbly and respectfully suggest that the charge be laid against the Governor of our Sovereign State and not against the officials and the other citizens of our state.

Let us invoke the blessings, my friends, of Divine Providence as we struggle to maintain our precious liberties and, with the help of Almighty God, and with this unbounding determination and indomitable spirit of our people to remain free, my friends and fellow Mississippians, we shall be invincible, and we shall keep the faith.

PORTIONS OF SPEECH BY GOVERNOR ROSS R. BARNETT, MISSISSIPPI, 9/13/62

He stated that professional agitators and unfriendly liberal press and other troublemakers are intent upon instigating strife among our people.

The Kennedy Administration is lending the power of the Federal Government to the ruthless demands of the agitators. He said "No school will be integrated in Mississippi while I am your Governor." Barnett made no reference to James Meredith but said "Last there be misgivings in some quarters about the immediate status of the University of Mississippi and other public schools, I assure you that they will not be closed if this can possibly be avoided, but they will not be integrated." He said "Every public official, including myself, should be prepared to make a choice tonight whether he will submit or whether he is willing to go to jail if necessary, to keep faith with the people who have placed their welfare in his hands." He called for resignation of any official not prepared to suffer imprisonment. He said, "Mississippi as a sovereign state, has the right under the Federal Constitution to determine for itself what the Federal Constitution has reserved to it. The Mississippi Legislature in 1956 asserted this right in no uncertain terms by the passage of Chapter 466 of the Laws of 1956 involving the historic doctrine of interposition to protect the sovereignty of this state and its constitutionally guaranteed exclusive right to control and regulate its own internal affairs."

He said, "Therefore, in obedience to legislative and constitutional sanction, I interpose the rights of the sovereign state of Mississippi to enforce its laws and to regulate its internal affairs without interference on the part of the Federal Government or its officers, and in my official capacity as Governor of the State of Mississippi, I hereby make this proclamation: Whereas, the United States of America consists of fifty sovereign states bound together basically for their common welfare, and whereas, the Constitution of the United States of America provides that each state is sovereign with respect to certain rights and powers, and whereas, pursuant to the Tenth Amendment of the Constitution of the United States, the powers not specifically delegated to the Federal Government are reserved to the several states, and whereas, the operation of the public school system is one of the powers which was not delegated to the Federal Government, but which was reserved to the respective states pursuant to the terms of the Tenth Amendment, and whereas, we are now face to face with the direct usurpation of this power by the Federal Government through the illegal use of judicial decree: Now, therefore, I, Ross E. Barnett as Governor of the Sovereign State of Mississippi, by the authority invested in me, do hereby proclaim that the operation of the public schools, the Universities and colleges of the State of Mississippi is vested in the duly elected and appointed officials of the state, and I hereby direct each of said officials to uphold and enforce the

laws duly and legally enacted by the Legislature of the State of Mississippi, regardless of this unwarranted and illegal and arbitrary usurpation of power, and to interpose the state sovereignty and themselves between the people of the state and any body-politic seeking to usurp such power."

He said, "Should the actions on the part of any public officials of Mississippi be construed as contempt of Federal courts, then in such event, I humbly and respectfully suggest that the charge be laid against the Governor of our Sovereign state and not against the officials and the other citizens of our state."