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Finding Aid for the United States v. Mississippi Interrogatory Answers (MUM01721)

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Finding Aid for the United States v. Mississippi Interrogatory Answers (MUM01721)

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Descriptive Summary

Title:	<i>United States v. Mississippi</i> Interrogatory Answers
Dates:	1962-1965
Repository:	University of Mississippi. Department of Archives and Special Collections. University, MS 38677, USA
Identification:	MUM01721
Location:	Available on eGrove, the University of Mississippi's institutional repository
Language of Material:	English
Abstract:	The <i>United States v. Mississippi</i> Interrogatory Answers consists entirely of an excerpt of the Record of Appeal that features answers by the United States to interrogatories posed by the State of Mississippi and other defendants. These answers provide detailed data and sources that illuminate the difficulties African Americans faced in Mississippi when they attempted to exercise their right to vote between 1890 and 1963. Since the subject of African American literacy was relevant to voting registration, they also include information on the segregated school systems in the state.

Administrative Information

Acquisition Information

In 2009-2010, William and Rita Bender spent a year-long sabbatical at the University of Mississippi teaching a course at the Law School on the deliberate denial of education for African Americans and the need for restorative justice remedies. Research conducted for the course directed their attention to the 1962 voting rights case *United States v. Mississippi*. The District Court Clerk for the Southern District advised the Benders that the interrogatory answers were missing from the official record in the government archives. However, they uncovered a copy of the document on microfiche in the University of Mississippi Law School Library and converted it to a .pdf electronic document. The Benders provided this electronic copy to the Archives & Special Collections in April 2010.

Processing Information

Political Papers Archivist Leigh McWhite wrote the introductory notes for the finding aid. Digital Initiatives Librarian Jason Kovari encoded the finding aid in April 2010. Finding aid updated March 2020 by Abigail Norris.

Additions

No further additions are expected to this collection.

Subject Terms

United States. Supreme Court
United States. Court of Appeals
Civil rights -- Mississippi
Segregation -- Mississippi
Suffrage -- Mississippi
Education -- Mississippi

Formats

PDF

Historical Note

In 1962, the United States government brought an action against the State of Mississippi, state election commissioners and six county registrars in *United States v. Mississippi*. The suit alleged that the defendants violated the voting rights of African American citizens. Specifically, the plaintiff argued that the state had passed laws to restrict African Americans' ability to vote.

The U.S. District Court for the Southern District of Mississippi dismissed the complaint, and the United States appealed to the Supreme Court which reversed the decision and ordered the case tried without delay. The Supreme Court decision in March 1965 held that Congress had expressly authorized the federal government to file such actions against a state in order to enforce the Fifteenth Amendment and that the Eleventh Amendment only protected a state against suits brought by a citizen.

Congress passed the Voting Rights Act of 1965 before the District Court reconsidered the case... making significant portions of the case moot. Upon remand, the Three Judge District Court entered a decision that Mississippi laws conditioning the right to vote would have no effect during federal supervision required by the Voting Rights Act. The court also ruled that the state and all personnel involved in voting had a duty to place all voters deemed eligible by federal examiners on the voting rolls prior to the June 1966 primary election. The court directed precinct officials to provide illiterate eligible voters with reasonable assistance in casting their ballots, and

it also required federal agencies to make available all voting registration records to the Mississippi Attorney General for copying and inspection.

This digital collection makes available pages 387-1276 from the Record on Appeal of *United States v. Mississippi* (cited as *United States v. Mississippi*, 380 U.S. 128, 1965). The pages in this selection contain the answers by the United States government to interrogatories propounded by the state of Mississippi and other defendants to the plaintiff (U.S. Government). John Doar, an attorney in the Civil Rights Division of the U.S. Department of Justice, has written that "In the history of complex litigation, these interrogatory answers set a standard for responses to burdensome interrogatories calling for massive amounts of detailed information. The answers drew upon and organized the collective hard work of a small number of Division attorneys who had labored in the field for two and one-half years." [1] Justice Hugo Black cited and quoted extensively from these answers in his Supreme Court majority opinion, as did Judge John R. Brown in his dissenting opinion in the three-judge court case.

For researchers interested in Mississippi during the segregation and civil rights eras, the information outlined in the interrogatory answers provide detailed data and sources that illuminate the difficulties African Americans faced in Mississippi when they attempted to exercise their right to vote between 1890 and 1963. Since the subject of African American literacy was relevant to voting registration, researchers will also find useful information on the segregated school systems in the state.

Cited:

[1] John Doar, "The Work of the Civil Rights Division in Enforcing Voting Rights under the Civil Rights Acts of 1957 and 1960" *Florida State Law Review* 25:1 (Fall 1997): 9.

Scope and Content Note

Specifically, the interrogatory answers provided by the United States include the following information:

Section 1. (pp. 389-527) Statistical analysis of census, registration, and voting data in Mississippi with regards to race between 1890 and 1962.

Section 2. (pp. 529-556) The basis for the allegation that the purpose of the 1890 Mississippi Constitution was to restrict African American franchise.

Section 3. (pp. 557-563) A list of delegates' names at the 1890 Mississippi constitutional convention who sought to restrict African American franchise and perpetuate white supremacy.

Section 4. (pp. 563-596) The factual basis for assertions that between 1899 and 1952 African Americans were not allowed to vote, that literate African Americans were required to interpret sections of the Mississippi constitution, and that African Americans were excluded from Democratic primary elections.

Section 5. (pp. 597-606) The factual basis for the complaint that the proposed amendment to section 244 of the 1890 Mississippi Constitution was designed to perpetuate white political supremacy.

Section 6. (pp. 607-614) The factual basis for the assertion that the 1960 amendment to the 1890 Mississippi Constitution (any person registering to vote after the effective date of the law should be of good moral character) was designed to prevent African Americans from voting while exempting white citizens from the requirement.

Section 7. (pp. 615-622) Purpose of six acts of the 1962 Mississippi legislature designed to "deter, prevent, delay and harass" African American efforts to vote and to facilitate discrimination against African Americans.

Section 8. (pp. 626-709) Factual basis and sources for assertion that public education facilities for African Americans were and are inferior to those provided for whites.

Section 9. (pp. 711-1275) Factual basis for allegation that since 1890 Mississippi has maintained and promoted white political supremacy and a racially segregated society; sections are divided both by the methods and by county and focus exclusively on voting; includes experiences of African Americans who tried to vote in Mississippi prior to 1955 followed by specific instances between 1955 and 1963 when African Americans were denied voting privileges because they did not interpret the Constitution to the satisfaction of the registrar; includes examples of voting applications by white registrants with unreasonable interpretations of the state constitution.

User Information

Preferred Citation

United States v. Mississippi Interrogatory Answers, Archives and Special Collections, J.D. Williams Library, The University of Mississippi

Access Restrictions

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Related Material

Resources at the University of Mississippi

More information on the court case *United States v. Mississippi* is available through the online database Lexis Nexis (*access limited to subscribing institutions like the University of Mississippi Libraries*).

Special Collections also possesses another publication from the *United States v. Mississippi* case: Kenneth D. Kemper, *Restrictions on Negro Voting in Mississippi History: Appendix to the Brief of the American Civil Liberties Union, Amicus Curiae* (New York: Record Press, [1964]). Call Number: [KFM7011.5 N4 R3](#).

For brief descriptions of collections with related holdings in the Archives & Special Collections, see the [Civil Rights & Race Relations subject guide](#) and the [Education subject guide](#).
