

# Letters from the Library

*“There shall be ... a library ... known as the state library”*  
An Act to provide for a State Library – General Laws, 1838

## December 2020

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8am – 5pm

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## The 19th Amendment at 100

In the April 2020 newsletter, we discussed how the Mississippi Legislature rejected the 19<sup>th</sup> Amendment during its 1920 session. Even though the Amendment was officially ratified into the Constitution that August, Mississippi women were unable to vote that November due to enforcement by the Mississippi Attorney General of the voter registration deadline.

It would be 1984 before the Legislature officially adopted the 19<sup>th</sup> Amendment. Legislators at the time thought that Mississippi was not the only State to have never officially adopted the Amendment. Legislative researchers, relying on incorrect information published by Congress, told legislators that Delaware had not adopted. However, this proved to be incorrect.

Legislation adopting the Amendment was filed in the Mississippi House and sponsored by two female representatives, Frances Savage of Brandon (below, left) and Margaret Tate of Picayune (below, right). The all-male Mississippi Senate, rather than adopting its own version, assented to the female-led House version.



# Miss. was, indeed, last

*Dover OK'd 19th Amendment 61 years ago*

By CELIA COHEN  
Dover Bureau reporter

Sorry, Mississippi. You, not Delaware, were the last state to ratify the 19th Amendment to the Constitution, giving women the right to vote.

Mississippi finally got around to ratifying the amendment on Thursday, 64 years after it became the law of the land in 1920.

The southern lawmakers were gleeful, because they thought they weren't the last. Their legislative researchers told them Delaware had yet to officially approve of women's suffrage.

The word went out from Mississippi through the nation's news services: We're not the last.

Guess again, Mississippi. Delaware did it.

How could Delaware not ratify? This is the state that started the nation. The state that was the first to approve the U.S. Constitution. The state that was the second to ratify the Equal Rights Amendment (and only because Hawaii took advantage of the time difference to do it first).

"This cruel slander has got to be righted," said Jeffrey R. Welsh, press secretary to Gov. du Pont. OK — the truth.

The 19th Amendment was ratified by the Delaware General Assembly and signed by Gov. William B. Denney, a Republican, on March 12, 1923. The original copy of the legislation, Senate Joint

Resolution 8, is in the state archives.

For reasons lost to time, news of the ratification apparently never made it from Dover to Washington, D.C., where the secretary of state is responsible for certifying ratification votes.

"One can only assume that our bureaucrats did what they were supposed to do, and the bureaucrats in Washington dropped the ball," Welsh said.

Mississippi is pleading ignorance.

"The last thing I want to do is slander Delaware. I love Delaware," said Mississippi state Sen. Cy Rosenblatt, a sponsor of Mississippi's ratification measure.

The ratification movement in Mississippi got started about two months ago, after legislative researchers found a document published by the U.S. Congress showing that only Mississippi and Delaware hadn't ratified, Rosenblatt said.

"You can apologize to the Delaware folks on my behalf," Rosenblatt said.

In the meantime, Delaware probably will send a copy of its ratification resolution to Washington to correct the oversight, according to Battle R. Robinson, Gov. du Pont's assistant legal counsel, who researched the Delaware record.

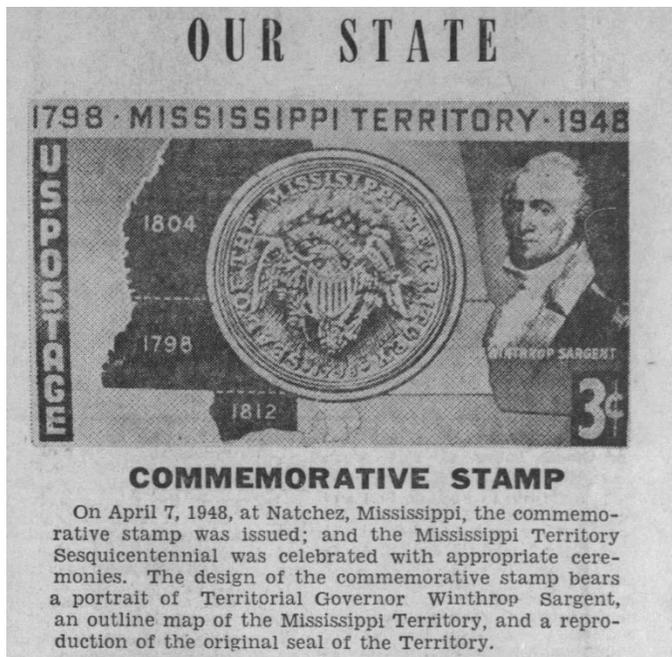
This isn't the first time that Delaware, Missis-

See AMENDMENT — B7

## Mississippi Territory Seal

During the recent discussions of the future state flag, one flag, the *Great River Flag*, taught many of us about the existence of a 1798 seal of the Mississippi Territory. The seal itself was cast in 1798 when Congress established the territory of Mississippi. Made in Philadelphia, it was brought to the new Territory by Judge Daniel Tilton, a New Hampshire lawyer, who was commissioned as one of the first judges of the Mississippi Territory.





The seal itself misspelled the name of the newest Territory, spelling it as “Mississippi.” In 1948, the sesquicentennial of the Mississippi Territory, a commemorative stamp was produced with the misspelling, purposefully. The Postmaster General at the time stated: “In view of the fact that it was the desire of the proponents of the stamp to reproduce the original seal without change, neither the Post-Office Department nor the Bureau of Engraving and Printing felt justified to alter the seal in any manner.” Editorialists around the nation made light of the misspelling, and the *Mississippi State Times* newspaper responded: “Dixie-baiters were pleased to observe that Mississippians couldn’t spell, not even the name of their own state. To the rescue came Dr. William D. McCain of the Mississippi Department of Archives and History. Dr. McCain

determined that the great seal, made in Philadelphia in 1798 by Yankees and brought down the river by Judge Daniel Tilton of New Hampshire, was misspelled by the United States Department of State — in the educated North!” *State Times*, March 27, 1955

At some point, the physical seal was lost to the State. Then in May, 1981, a lady living in California wrote to the Mississippi Department of Archives and History saying that she had come into possession of the seal. It had been among the personal effects of a deceased friend and had once belonged to the late Beverly Ward Alcorn, a granddaughter of Governor James L. Alcorn, who had served in office in 1871-1872. She offered to send it back home which is where it resides now.

## Recent Donations

The Library receives on occasion donated items of historical significance that it just can’t turn down. Two of these have been recently received and one has been recently preserved for us by Department of Archives and History staff:

1967 Supreme Court: This portrait was donated by local attorney Joe Hemleben whose father served as clerk to the Supreme Court. At the completion of his clerkship, he received this signed portrait from the Court.



1967: Front row, seated, from left: R.L. Jones, Robert Gillespie, Chief Justice William Ethridge, Jr., Henry Lee Rodgers, Tom Brady. Back row, standing, from left: Lemuel A. Smith, Jr., Neville Patterson, William Inzer, Stokes Robertson, Jr.

1965 Supreme Court: This portrait was found in a storage collection of items belonging to former Justice Henry Lee Rodgers. The Department of Archives and History graciously assisted in cleaning it up. The glass frame had been cracked and was missing. The surrounding mat with signatures of the Justices was unfortunately unsalvageable.



1965: Front row, seated, from left: Henry Lee Rodgers, William Ethridge, Jr., Chief Justice Percy M. Lee, Robert Gillespie, R.L. Jones. Back row, standing from left: William Inzer, Tom Brady, Neville Patterson, Lemuel A. Smith, Jr.

1824 Mississippi Code: Commonly referred to as Poindexter's Code, officially the *The Revised Code of the Laws of Mississippi, In Which are Comprised All Such Acts of the General Assembly, of a Public Nature, As Were in Force at the End of the Year 1823; With a General Index*. This was the first official compilation of a Code for the young State of Mississippi. Some have also referred to as the "Bloody Code" due to its strict penal laws. The Library received this from the University of Arkansas-Little Rock Law Library.

It had once belonged to a W.P. Parks of Lewisville, Arkansas. Parks has been a captain of a heavy artillery battery at the Battle of Vicksburg. After the Civil War, he opened up a law practice and became active in Arkansas politics.



