you...

and the State of Florida have a firm legal position against integration.

The Supreme Court ruling on segregation is unconstitutional.

The States have a legal right to oppose this ruling through interposition.

The Constitution of the United States gives the Federal Government the power to rule on certain matters.

The Constitution does not give the Federal Government the power to rule on education.

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The Tenth Amendment to the Bill of Rights reserves to the State or its people the powers not delegated to the Federal Government by the Constiution, nor prohibited by it to the States. Therefore . . .

EACH STATE HAS THE RIGHT TO RULE ON ITS OWN EDUCATIONAL SYSTEM. The Constitution of the United States is a compact between each of the 48 sovereign states, in which each is a co-equal member.

EACH STATE HAS THE RIGHT TO JUDGE FOR ITSELF AN INFRACTION OF THE CONSTITUTION.

The Supreme Court violated the compact—the Constitution—with its decision on segregation.

THE STATES MAY RESOLVE THIS ISSUE OF CONTESTED POWER THROUGH INTERPOSITION

INTERPOSITION . . .

"It (Interposition) holds that the states have the right to declare null and void and to set aside in practice any law of the Federal Government which violates their voluntary compact embodied in the U. S. Constitution."

—COLUMBIA ENCYCLOPEDIA

Interposition

When a state feels that the Federal Government has usurped the sovereign rights of the people of that state, then the state has the right to interpose itself between the people and the Federal Government.

INTERPOSITION is the State Government's method of asserting its sovereign authority to protect its citizens from an unauthorized act of the Federal Government.

INTERPOSITION is the one safeguard against usurpation of power by the Supreme Court.

INTERPOSITION is the state's method of declaring null, void and of no effect the Supreme Court's assertion on segregation — an assertion which is a deliberate, palpable and dangerous attempt by the Court to prohibit to the states certain rights and powers never surrendered by the states.

The Legislature of Florida has the right to declare the decisions and orders of the Supreme Court relating to separation of races in public schools null and void.

Inasmuch as the Florida Legislature is not now in session, the Governor of Florida has the right to interpose . . .

THE GOVERNOR OF FLORIDA IS DUTY-BOUND TO INTERPOSE in this matter for the Supreme Court's ruling is clearly a breech of contract—it is a violation of the Constitution . . . and the Governor, upon entering office has declared in his oath of office that he will "support, protect and defend" the Constitution of the United States. And the Governor has also sworn that he will support the Constitution of the State of Florida, which reads, in part, "White and colored children shall not be taught in the same school."

THE GOVERNOR OF FLORIDA CAN IMMEDIATELY DECLARE THE SUPREME COURT'S DECISION AS NULL, VOID AND OF NO EFFECT.

SOUTH CAROLINA . . . ALABAMA . . . GEORGIA . . . VIRGINIA . . . MISSISSIPPI . . . HAVE CHALLENGED THE CONSTITUTIONALITY OF THIS RULING.

LET FLORIDA IMMEDIATELY FOLLOW SUIT.

The history of interposition . . .

Whenever interposition has been used, the States have won.

1792: A Federalist-dominated Supreme Court attempted to hear a private claim against the State of Georgia—the Court did so in violation of the Eleventh Amendment, which at that time had not been ratified but was a "gentlemen's agreement." The State of Georgia interposed its authority and called upon its sister states to back her up. The Eleventh Amendment was ratified by the States in 1795, and Georgia was declared right, *the Supreme Court wrong.*

1797: George Washington, in his Farewell Address said: "If, in the opinion of the people, the distribution or modification of Constitutional powers be in any particular wrong, let it be corrected by an amendment, in the way which the Constitution designated. — But let there be no change by usurpation; for though this, in one instance, may be the instrument of good, it is the customary weapon by which free governments are destroyed."

1798: As the Federalist movement grew in strength, Congress passed the Alien and Sedition Acts, under which the freedoms of speech and press were restricted. Thomas Jefferson and James Madison began a drive for interposition, questioning the Constitutionality of these federal laws. The famed Virginia and Kentucky Resolutions interposed the sovereignty of the States to end the too great expansion of Federal power.

These resolutions noted that "the friendless alien has indeed been selected as the safest subject of a first experiment; but the citizen will soon follow." Madison declared: "That the Government created by this compact was not made the exclusive or final judge of the extent of the powers delegated to itself, since that would have made its discretion, and not the Constitution, the measure of its powers." Shortly afterwards, Madison was elected President of the United States and *the Alien and Sedition Acts were abandoned.*

1832: After signing an agreement with the State of Georgia to move beyond the Mississippi, the Cherokee Indians refused to do so. The Supreme Court upheld the Indians, but Georgia interposed and removed the Cherokees. President Andrew Jackson sided with Georgia, declaring: "John Marshall has made his decision, now let him enforce it."

1859: The Wisconsin State Legislature adopted a resolution of interposition, denouncing the Supreme Court's decision in the Dred Scott case. The resolution stated "that the several states . . . have the unquestionable right" to exercise "positive defiance" in behalf of their official interpretation of the powers reserved to the States by the Constitution.

After April, 1865: The Thirteenth, Fourteenth and Fifteenth Amendments had to be adopted before President Lincoln's proclamation of emancipation became official.

1955: The State of Georgia defied the Supreme Court on a matter of rights reserved to the States when Chief Justice Duckworth refused an order of the U. S. Supreme Court, vowing the matter was outside the Court's jurisdiction.

HOW THE SUPREME COURT HAS PREVIOUSLY RULED ON SEGREGATION.

1896: Plessy v. Ferguson: Supreme Court's decision: "The most common instance of this (segregation) is connected with the establishment of separate schools for the white and colored children, which has been held to be a valid exercise of the legislative power even by courts of states where the political rights of the colored race have been longest and most earnestly enforced."

1899: Cumming v. Board of Education: Supreme Court's decision: "We may add that while all admit that the benefits and burdens of public taxation must be shared by citizens without discrimination against any class on account of their race, the education of the people *in schools maintained by state taxation is a matter belonging to the respective states.*"

1927: Gong Lum v. Rice—the case of *one* Chinaman, rather than a group of individuals: Supreme Court's decision: "Were this a new question, it would call for very full argument and consideration, but we think that it is the same question which has been many times decided to be within the Constitutional power of the State Legislature to settle without intervention of the Federal courts under the Federal Constitution . . . *The decision (upholding segregation) is within the discretion of the state in regulating its public schools and does not conflict with the Fourteenth Amendment.*"

Interposition Has Never Lost!

Interposition Has Always Won!

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