

By: Representatives Watson, Brown,  
Whittington, Calhoun

To: Rules

COMMITTEE SUBSTITUTE  
FOR  
HOUSE CONCURRENT RESOLUTION NO. 55

1 A CONCURRENT RESOLUTION REMEMBERING THE LEGACY OF THE LATE  
2 CLYDE KENNARD, THE FIRST AFRICAN-AMERICAN STUDENT TO APPLY FOR  
3 ADMITTANCE AT THE UNIVERSITY OF SOUTHERN MISSISSIPPI, FOR HIS  
4 SIGNIFICANT ROLE IN THE HISTORY OF THE UNIVERSITY AND IN THE CIVIL  
5 RIGHTS MOVEMENT IN MISSISSIPPI AND URGING THE PROPER AUTHORITIES  
6 TO TAKE NECESSARY MEASURES TO RESTORE HIS REPUTATION.

7 WHEREAS, Clyde Kennard, an African American decorated war  
8 veteran and farmer, repeatedly tried to become known as the first  
9 black student to enroll at the University of Southern Mississippi  
10 (USM), but his false arrest is known by researchers as a sad event  
11 of the civil rights movement in Mississippi; and

12 WHEREAS, when Clyde Kennard refused to give up his quest to  
13 become the first black student to enroll at the University of  
14 Southern Mississippi, authorities sent him to state prison in 1960  
15 for seven years; and

16 WHEREAS, a three-month investigation by *The Clarion-Ledger*  
17 has revealed that the decorated Army veteran was locked up for a  
18 crime he never committed; and

19 WHEREAS, in the 1960 trial, 19-year-old Johnny Lee Roberts  
20 testified that Kennard, a 33-year-old devout Baptist and farmer,  
21 put him up to breaking into Forrest County Co-op to steal \$25.00  
22 in feed, even describing how he should leave the warehouse door  
23 unlocked; however, 45 years later, Roberts has said that none of  
24 his testimony was true, is willing to swear under oath that Clyde  
25 Kennard never put him up to the burglary, or asked him to do  
26 anything illegal; and

27 WHEREAS, born in 1927, Kennard's early life foreshadowed a  
28 grim future when, at the age of four, his father died. He grew up  
29 helping his mother run the family farm. In 1950, Kennard began

30 attending college in Fayetteville, N.C., during the Korean War.  
31 Kennard served as a paratrooper and rose to the rank of sergeant,  
32 receiving three medals including the Bronze Star; and

33 WHEREAS, after the Korean War, he came home to run the family  
34 farm in Mississippi, and at the age of 28 joined the NAACP; and

35 WHEREAS, Kennard served as President of the local NAACP youth  
36 chapter and on the local school board; and

37 WHEREAS, after becoming aware that the area's 125 black  
38 students had to travel 11 miles past the all-white school to  
39 attend classes, Kennard became outraged and circulated an  
40 unsuccessful petition to have children attend the closest school;  
41 and

42 WHEREAS, Kennard desired to finish college and in 1956, he  
43 approached President William D. McCain at the then segregated  
44 Mississippi Southern College, but was denied entrance; however,  
45 when he tried to enroll again in 1958, he enjoyed the support of  
46 Medgar Evers, Field Secretary for the Mississippi NAACP and, when  
47 his intention to attend college was made public, the state's  
48 segregationist spy agency, the Mississippi Sovereignty Commission,  
49 compiled an extensive dossier on the small-framed farmer and  
50 sought to smear his reputation; authorities' framing of Kennard is  
51 made clear in Sovereignty Commission records; and

52 WHEREAS, on March 6, 1961, the Mississippi Supreme Court  
53 ordered a new trial on reckless driving and liquor charges for  
54 Kennard, but it did him little good because he remained behind  
55 bars, where he had been since his September 1960 burglary arrest  
56 and less than a month later, the same justices upheld Kennard's  
57 conviction, sending him to the State Penitentiary at Parchman; and

58 WHEREAS, in 1993, USM honored Kennard by renaming its student  
59 services building after him and Walter Washington, the first  
60 African American to receive a doctorate from the institution, and  
61 a biography of Kennard on the university's Web site refers to the

62 charges against Kennard as "false," but Mississippi never has  
63 taken any official action to clear his name; and

64 WHEREAS, Clyde Kennard wrote a letter to the *Hattiesburg*  
65 *American* in 1958 challenging the idea of separate but equal.  
66 Kennard suggested people work together to build up one another:  
67 "When merit replaces race as a factor in character evaluation, the  
68 most heckling social problem of modern times will have been  
69 solved"; and

70 WHEREAS, in March 1962, he underwent colon cancer surgery at  
71 the University of Mississippi Medical Center, but died July 4,  
72 1963, the anniversary of the Declaration of Independence that  
73 promised, "All men are created equal"; and

74 WHEREAS, the handling of Kennard's case was evidence of  
75 injustice in Mississippi's past history, and the reputation of  
76 this Mississippian deserves to be exonerated:

77 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF  
78 REPRESENTATIVES OF THE STATE OF MISSISSIPPI, THE SENATE CONCURRING  
79 THEREIN, That we do hereby remember the legacy of the late Clyde  
80 Kennard, the first African-American student to apply for  
81 admittance at the University of Southern Mississippi, for his  
82 significant role in the history of the university and in the  
83 history of the civil rights movement in Mississippi.

84 BE IT FURTHER RESOLVED, That (a) we strongly urge the  
85 Governor to grant Mr. Kennard a posthumous pardon in this case  
86 based upon the new evidence referred to in this Concurrent  
87 Resolution, or (b) in the alternative, the District Attorney for  
88 the Twelfth Circuit Court District or the Attorney General for the  
89 State of Mississippi should investigate and present evidence for a  
90 new trial on this matter to the appropriate grand jury, or (c) in  
91 the alternative, the Mississippi Supreme Court should take up the  
92 Kennard burglary conviction on its own motion.

93 BE IT FURTHER RESOLVED, That this resolution shall be  
94 forwarded by the Secretary of State to the District Attorney for

95 the Twelfth Circuit Court District, the Attorney General for the  
96 State of Mississippi and the Clerk of the Mississippi Supreme  
97 Court.

98 BE IT FURTHER RESOLVED, That this resolution shall be  
99 presented to the surviving family members of Clyde Kennard and be  
100 made available to the Capitol Press Corps.