

**EVANDER SMITH—CALIFORNIA HALL PAPERS**

**1964-1974**

Collection number: GLC 46

The James C. Hormel Gay and Lesbian Center

San Francisco Public Library

2007

## **INTRODUCTION**

### **Provenance**

The Evander Smith—California Hall Papers were donated to The San Francisco Public Library by Paul Gabriel for Evander Smith in 2002.

### **Restrictions**

No restrictions.

### **Access**

The collection is open for research and available in the San Francisco History Center on the 6<sup>th</sup> Floor of the Main Library. The hours are: Tues.-Thurs. 10a.m.-6 p.m., Fri. 12 noon-6 p.m., Sat. 10 a.m.-6 p.m. and Sun. 12 noon-5 p.m.

### **Collection Number**

GLC 46

### **Size**

0.5 cu. ft. + 1 oversized folder

### **Processed by**

Timothy T. Wilson

### **Date Completed**

April 2007

### **Preferred Citation**

[*Identification of item*], Evander Smith—California Hall Papers (GLC 46), The James C. Hormel Gay and Lesbian Center, San Francisco Public Library.

### **Conservation Note**

During processing, the entire collection was refoldered and re-housed in acid-free folders and boxes. All metal fasteners were removed and replaced with plastic clips where necessary.

## **BIOGRAPHY**

Evander Smith was a San Francisco lawyer who along with Herbert Donaldson was retained by the Council on Religion and the Homosexual. The Council organized a Mardi Gras Ball that took place on January 1, 1965 at the California Hall. Anticipating police harassment, Smith and Donaldson were asked to attend the event in case legal advice was necessary. The police took photographs of attendees arriving and requested admission to the event on two occasions. The first was to examine whether the event was in accord with rules regarding liquor; this was standard practice and the police were admitted to ascertain that the event was in compliance. At a later time, the police asked for admittance again and were denied because they did not have tickets for the private event and could provide no reason to enter. As a result, four people were arrested: Evander Smith, Herbert Donaldson, Elliott Leighton and Nancy May.

## **SCOPE AND CONTENT**

Includes case files on the legal defense of Evander Smith, Herbert Donaldson, Elliott Leighton and Nancy May. The files contain information on the events that took place, legal research on the laws pertaining to those events, information on jury selection, materials concerning homosexuals and their treatment by authorities, clippings of newspaper coverage and some homosexual publications of the time. There are copies of sermons or papers enclosed in Methodist Church services in January of 1965. There are a few photographs of attendees and the police presence on January 1, 1965.

## **ARRANGEMENT NOTE**

The material is arranged chronologically.

**CONTAINER LIST**

<b><u>Folder</u></b>	<b><u>Folder Date</u></b>	<b><u>Folder Title</u></b>
1	1964-1965	Clippings
2	1965 January 1	Photograph of policeman holding a card with number “2” and Evander Smith covering his face and eyes, with undated letter.
3	1965 January 1	Photographs (4 items)
4	[1965 January]	“Chronology of Events Occurring in Connection with Arrest of Above Individuals on January 1, 1965” Evander C. Smith and Herbert Donaldson, named.
5	1965 January 2	“Here’s What Really Happened...”
6	1965 January	Correspondence. Includes notes from Cliff Anchor and Howard Thorkelson
7	1965 January	Photographs/Negatives
8	1965 January 10	First Methodist Church and Glide Memorial Church service programs, “Man, Sex and the Gospel” by John V. Moore enclosed
9	1965 January 17	First Methodist Church and Glide Memorial Church service programs, “Church, Community and Homosexuality” by John V. Moore enclosed
10	1965 January 24	First Methodist Church and Glide Memorial Church service programs, “Chastity and the Pill ( a consideration of ethics and sex)” by John V. Moore enclosed
11	1965-1966	Case file: Donaldson, Smith, Leighton and May vs. The City and County of San Francisco. Includes notes on legal issues, defense planning, witnesses, facts to be gathered, correspondence with Morris Lowenthal, and copies of court papers filed.
12	[1965]	Legal Material regarding dancing and dance halls

**CONTAINER LIST**

<b><u>Folder</u></b>	<b><u>Folder Date</u></b>	<b><u>Folder Title</u></b>
13	[1965]	“Questions of Evander” with responses (multiple copies)
14	[1965]	Statement of Nancy May [transcript]
15	1965 Feb.-March	Trial notes on jury selection, questions, cross examination
16	1965 February	“The American Indian” (San Francisco: American Indian Center) newsletter
17	1965 April	<i>Vector</i> vol.1 (5) contains article on Mardi Gras ball
18	1965 May 10	“San Francisco Observer” cartoon. “Making Task” by Len Devereaux
19	1965 September	“Homosexuality and the Physician” by Philip H. Heersema ( <i>JAMA</i> , v. 193 (10))
20	1965 December	2 articles on Police Officers, their job duties, and law enforcement with Constitutional standards
21	[1966 December 26]	“Answers to Interrogatories”
22	1966 December 28	Reed H. Bement for Lowenthal & Lowenthal to Evander Smith. Encloses “Answers and Objections to Interrogatories Propounded by Defendants”
23	1967 January 12	Reed H. Bement for Lowenthal & Lowenthal to Evander Smith. Encloses a copy of “Notice of Objections to Interrogatories and Memorandum of Points and Authorities in Support Thereof”
24	1967 February 14	Correspondence Evander Smith to Herbert Donaldson
25	1967 March-April	<i>Marina Memos. Bulletin of the Marina Lions Club</i> nos. 16, 18, 19.

**CONTAINER LIST**

<b><u>Folder</u></b>	<b><u>Folder Date</u></b>	<b><u>Folder Title</u></b>
26	1967 December 8 & 22	Ephraim Margolin to Milton Stern, Marvin Lewis, Edward L. Cragen, Messrs. Brown and Dearman, Evander C. Smith. Jerome Carlin, Arthur Wells, Arthur Brunwasser, Jerrold Levitin” regarding 100 still photographs were not in evidence during the trial and whose existence was denied by the District Attorney and the police.
27	[196-]	“Should the Lawyer Be At the Scene?” by Robert Treuhaft
28	1969-1972	Correspondence with Ephraim Margolin and Morris Lowenthal regarding legal representation
29	1973 June 26	Paul N. Halvonik to Evander Smith, et al. regarding City being granted discovery in the Smith vs. Cahill matter
30	1974	Correspondence regarding settlement and check
31	1974 May 23	Mary B. Denaro

**Oversized Folder:**

*The Open City Press* vol. 1 (10), Feb. 10-16 [1965]. Article “There is a Cure for Homosexuals”

*American Civil Liberties News* vol. 30 (2) February 1965. Article on p.4 “ACLU Will Defend Arrested Attorneys” (4 copies)

*American Civil Liberties News* vol. 30 (3) March 1965. Article on p.1 “Three Lawyers and Secretary Acquitted” (1 copy)