

Finding aid to the Evander Smith--California Hall Papers, 1964-1974

Finding aid prepared by Tim Wilson

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Title: Evander Smith--California Hall Papers,

Date (inclusive): 1964-1974

Collection Identifier: GLC 46

Creator: Smith, Evander

Physical Description: 1 document case + 1 oversized folder(0.5 cubic feet)

Contributing Institution: James C. Hormel Gay & Lesbian Center, San Francisco Public Library

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Abstract: The collection contains case files and related materials for the legal defense of Evander Smith, Herbert Donaldson, Elliott Leighton and Nancy May. They were arrested on January 1, 1965 as a result of police harrassment at the Mardi Gras Ball sponsored by the Council on Religion and the Homosexual.

Physical Location: The collection is stored onsite.

Language of Materials: Collection materials are in English.

Access

The collection is open for research.

Publication Rights

All requests for permission to publish or quote from manuscripts must be submitted in writing to the City Archivist. Permission for publication is given on behalf of the San Francisco Public Library as the owner of the physical items.

Preferred citation note

[Identification of item], Evander Smith--California Hall Papers (GLC 46), Gay and Lesbian Center, San Francisco Public Library.

Provenance note

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

Biographical note

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 contents note

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.

Subjects and Indexing Terms

California Hall (San Francisco, Calif.).

Council on Religion and the Homosexual (San Francisco, Calif.).


Donaldson, Herb

Smith, Evander -- Archives

Assembly, Right of--United States.

Drag balls--California--San Francisco

Freedom of association--United States.
Freedom of expression--United States.
Gay liberation movement--California--San Francisco.
Gay men--Legal status, laws, etc.--California.
Gay rights--United States.
Gays--Legal status, laws, etc.--California.
Lesbians--Legal status, laws, etc.--California.
Police--Complaints against--California--San Francisco.
San Francisco (Calif.)--History--20th century
Trials--California--San Francisco.

Folder 1 **Clippings, 1964-1965**
Folder 2 **Photograph of San Francisco Policeman holding a card with number "2" and Evander Smith covering face and eyes, with undated letter, 1965 January 1**
 [San Francisco Policeman holding a card with number "2" and Evander Smith covering face and eyes], 1965 January 1 
Folder 3 **Photographs (4 items), 1965 January 1**
Folder 4 **"Chronology of Events Occurring in Connection with Arrest of Above Individuals on January 1, 1965," [1965 January]**
 General note
 Evander C. Smith and Herbert Donaldson, named.

Folder 5 **"Here's What Really Happened..." 1965 January 2**
Folder 6 **Correspondence, 1965 January**
 General note
 Includes notes from Cliff Anchor and Howard Thorkelson.

Folder 7 **Photographs/Negatives, 1965 January**
Folder 8 **First Methodist Church and Glide Memorial Church service programs, 1965 January 10**
 General note
 "Man, Sex and the Gospel" by John V. Moore enclosed.

Folder 9 **First Methodist Church and Glide Memorial Church service programs, 1965 January 17**
 General note
 "Church, Community and Homosexuality" by John V. Moore enclosed.

Folder 10 **First Methodist Church and Glide Memorial Church service programs, 1965 January 24**
 General note
 "Chastity and the Pill (a consideration of ethics and sex)" by John V. Moore enclosed.

Folder 11 **Case file: Donaldson, Smith, Leighton and May vs. The City and County of San Francisco, 1965-1966**
 General note
 Includes notes on legal issues, defense planning, witnesses, facts to be gathered, correspondence with Morris Lowenthal, and copies of court papers filed.

Folder 12 **Legal Material regarding dancing and dance halls, [1965]**
Folder 13 **"Questions of Evander" with responses, [1965]**
 General note
 Multiple copies.

Folder 14	Statement of Nancy May [transcript], [1965]
Folder 15	Trial notes on jury selection, questions, cross examination, 1965 February-March
Folder 16	<i>The American Indian</i> (San Francisco: American Indian Center) newsletter, 1965 February
Oversize-folder 1	<i>The Open City Press</i> vol. 1 (10), Feb. 10-16, [1965]
	General note
	Article "There is a Cure for Homosexuals."
Oversize-folder 1	<i>American Civil Liberties News</i> vol. 30 (2), February 1965
	General note
	Article on p.4 "ACLU Will Defend Arrested Attorneys" (4 copies).
Oversize-folder 1	<i>American Civil Liberties News</i> vol. 30 (3), March 1965
	General note
	Article on p.1 "Three Lawyers and Secretary Acquitted" (1 copy).
Folder 17	<i>Vector</i> vol. 1 (5), 1965 April
	General note
	Contains article on Mardi Gras ball.
Folder 18	<i>San Francisco Observer</i> cartoon: "Making Task" by Len Devereaux, 1965 May 10
Folder 19	"Homosexuality and the Physician" by Philip H. Heersema (<i>Journal of the American Medical Association</i>, v. 193 (10)), 1965 September
Folder 20	Two articles on police officers, their job duties, and law enforcement with Constitutional standards, 1965 December
Folder 21	"Answers to Interrogatories," [1966 December 26]
Folder 22	Reed H. Bement for Lowenthal & Lowenthal to Evander Smith, 1966 December 28
	General note
	Encloses "Answers and Objections to Interrogatories Propounded by Defendants."
Folder 23	Reed H. Bement for Lowenthal & Lowenthal to Evander Smith, 1967 January 12
	General note
	Encloses a copy of "Notice of Objections to Interrogatories and Memorandum of Points and Authorities in Support Thereof."
Folder 24	Correspondence: Evander Smith to Herbert Donaldson, 1967 February 14
Folder 25	<i>Marina Memos. Bulletin of the Marina Lions Club</i> nos. 16, 18, 19. 1967 March-April
Folder 26	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, 1967 December 8 and 22
	General note
	Regarding 100 still photographs that were not in evidence during the trial and whose existence was denied by the District Attorney and the police.
Folder 27	"Should the Lawyer Be At the Scene?" by Robert Treuhaft, [196-]
Folder 28	Correspondence with Ephraim Margolin and Morris Lowenthal regarding legal representation, 1969-1972
Folder 29	Paul N. Halvonik to Evander Smith, et al., 1973 June 26
	General plan
	Regarding City being granted discovery in the Smith vs. Cahill matter.
Folder 30	Correspondence regarding settlement and check, 1974
Folder 31	Mary B. Denaro, 1974 May 23
