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United States Department of the Interior National Park Service

National Register of Historic Places Registration Form

PLANNING REGION

This form is for use in nominating or requesting determinations of eligibility for individual properties or districts. See instructions in Guidelines for Completing National Register Forms (National Register Bulletin 16). Complete each item by marking "x" in the appropriate box or by entering the requested information. If an item does not apply to the property being documented, enter "N/A" for "not applicable." For functions, styles, materials, and areas of significance, enter only the categories and subcategories listed in the instructions. For additional space use continuation sheets (Form 10-900a). Type all entries.

1. Name of Property

historic name Smith, Lena O., House other names/site number none

2. Location

street & number 3905 5th Ave. S. city, town Minneapolis state Minnesota code MN county Hennepin code 053 zip code 55409

3. Classification

Ownership of Property: private (checked), public-local, public-State, public-Federal. Category of Property: building(s) (checked), district, site, structure, object. Number of Resources within Property: Contributing 1, Noncontributing 1, Total 2.

Name of related multiple property listing: N/A. Number of contributing resources previously listed in the National Register: 0.

4. State/Federal Agency Certification

As the designated authority under the National Historic Preservation Act of 1966, as amended, I hereby certify that this nomination requests for determination of eligibility meets the documentation standards for registering properties in the National Register of Historic Places and meets the procedural and professional requirements set forth in 36 CFR Part 60. In my opinion, the property meets (checked) does not meet the National Register criteria. Signature of certifying official: Ian R. Stewart, Deputy State Historic Preservation Officer, Minnesota Historical Society. Date: 8/15/91.

In my opinion, the property meets (checked) does not meet the National Register criteria. Signature of commenting or other official: State or Federal agency and bureau: Date:

5. National Park Service Certification

I, hereby, certify that this property is: entered in the National Register (checked), determined eligible for the National Register, determined not eligible for the National Register, removed from the National Register, other (explain:). National Register stamp: altered to the National Register. Signature of the Keeper: Action Byron. Date of Action: 9-26-91.

Signature of the Keeper: Date of Action:

6. Function or Use

Historic Functions (enter categories from instructions)

Domestic, single dwelling

Current Functions (enter categories from instructions)

Domestic, single dwelling

7. Description

Architectural Classification

(enter categories from instructions)

Classical Revival

Materials (enter categories from instructions)

foundation limestonewalls wood/clapboard

roof asphalt/shinglesother

Describe present and historic physical appearance.

See continuation sheet

8. Statement of Significance

Certifying official has considered the significance of this property in relation to other properties:

nationally statewide locally

Applicable National Register Criteria A B C D

Criteria Considerations (Exceptions) A B C D E F G N/A

Areas of Significance (enter categories from instructions)
Ethnic Heritage / Black
Social History

Period of Significance
1927-1940

Significant Dates
N/A

Cultural Affiliation
N/A

Significant Person
Lena Olive Smith

Architect/Builder
Unknown

State significance of property, and justify criteria, criteria considerations, and areas and periods of significance noted above.

See continuation sheet

9. Major Bibliographical References

See continuation sheet

See continuation sheet

- Previous documentation on file (NPS): N/A
- preliminary determination of individual listing (36 CFR 67) has been requested
 - previously listed in the National Register
 - previously determined eligible by the National Register
 - designated a National Historic Landmark
 - recorded by Historic American Buildings Survey # _____
 - recorded by Historic American Engineering Record # _____

Primary location of additional data:

- State historic preservation office
- Other State agency
- Federal agency
- Local government
- University
- Other

Specify repository:

Fort Snelling History Center
Saint Paul, Minnesota

10. Geographical Data

Acreage of property Less than one acre

UTM References

A 15 478850 4975200
 Zone Easting Northing

C _____

B _____
 Zone Easting Northing

D _____

See continuation sheet

Verbal Boundary Description

Lot #2 Katherine Peterson's Addition to Minneapolis

See continuation sheet

Boundary Justification

The boundary includes the city lot that has historically been associated with the property. City legal description.

See continuation sheet

11. Form Prepared By

name/title Jacqueline Sluss
 organization Thomas R. Zahn & Associates, Inc date July 16, 1990
 street & number University Club, 420 Summit Avenue telephone 221-9765
 city or town Saint Paul state Minnesota zip code 55102

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The Lena Olive Smith House, located at 3905 5th Avenue South, is a detached two and a half story dwelling of wood frame construction finished with narrow clapboard and classical revival detailing. This classic pattern book house with simple rectangular massing has a side-gabled roof and sits on a stone foundation which has been covered in a cement veneer.

The house is embellished with simple corner boards, Ionic capitols on the porch columns, and eave returns. The side-gabled structure has a single, centered front-dormer, and a one-story front porch with hipped roof that spans the entire front facade. The porch displays Ionic columns sitting on square piers that are sheathed with a veneer of concrete. The off-centered porch entrance is defined by a simple wood balustrade made up of 2 by 2 balusters and a wood rail.

The first story front facade displays an asymmetrical arrangement of a single window, entrance door, and picture window. The single window to the left of the main entrance door displays a leaded glass transom. The picture window is surrounded by sidelights and a leaded glass transom. The second story of the main facade displays two symmetrically placed 1 over 1 double hung windows. The front dormer supports two smaller adjoining 1 over 1 double hung windows.

The gable ends have symmetrical window placement with single windows in the 3rd story gable ends and balanced double hung windows on the second story. The north elevation displays a projection from the between the first and second stories, to accommodate a stair landing on the interior. The south elevation displays a projecting bay on the first story to accommodate a dining room buffet. Both side projections have an asphalt shingled hipped roof.

The structure sits on a small urban lot in a modest, south Minneapolis residential neighborhood. A small, single stall garage sits at the back of the lot on the alley. The garage is finished with ship-lap siding and has a low-pitched asphalt shingled roof. The secondary structure post-dates the significance period of the residence.

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The Lena Olive Smith House is significant under criterion B as the only surviving building associated with her career as a prominent local civil rights lawyer and activist during the 1920s and 1930s. Minneapolis city directories indicate that she resided in this house throughout the period of significance. The Palace Building, where her office was located during the period of significance, is no longer extant. The period of significance begins with Smith's admission to the bar in 1927 and ends in 1940. Smith's career was focused within the Community of Minneapolis until 1939 when she became head of the Legal Redress for the Minneapolis and St. Paul chapters of the NAACP. After that point she advised both chapters of the NAACP on legal issues. Smith's career is significant for her interest in human rights and the significant contributions she made toward securing civil rights for minorities in the Twin Cities.

Lena Olive Smith came to Minneapolis in 1907 with her mother Geneva Smith, her sister Frances (who also earned a law degree but never practiced), and a brother, Prentis. When Ms Smith graduated from Northwestern College in Minneapolis and passed the Minnesota bar exam in 1927, she was one of nine Black attorneys known to have practiced law in Minneapolis between 1890 and 1927. She was the only woman of her race to have a law practice in Minneapolis and St. Paul throughout the designated period of significance. Three Black attorneys in Minneapolis were her contemporaries: Brown S. Smith, Ray Cannon Jr., and Homer Cannon. Ms. Smith took on a partner, Stanley H. Roberts in the late 1930s. Her living contemporaries describe her as highly intelligent and aggressive in the interest of civil rights issues. Ms. Smith was active in the affairs of both the Minneapolis Urban League and National Association for the Advancement of Colored People. She is considered one of the founding members of the Urban League in Minneapolis (1925)¹ and was elected the first woman president of the Minneapolis NAACP in 1932. Beginning in 1939, she served as chair of the joint Twin City Legal Committee (Legal Redress) for both the St. Paul and Minneapolis NAACP. This committee would be the impetus for increased participation of the NAACP in legal cases in the Twin Cities in years to come.

The protection of civil rights has always been a key issue in the history of Black American society and during the 1920s and 1930s this issue was no less central. Although the Twin Cities had not experienced the level of Black immigration of other major Northern

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Cities (a lack of industry is cited as the major reason for a limited Black migration in the years between the first and second World Wars), nor the accompanying racial friction, local civil rights issues were the same: equal protection by the law, equal access to public accommodations and higher education opportunity, segregated and substandard housing, discriminatory hiring and firing practices, the public display of racially stereotyped mass media, the repression of radical political thought and the right to form and join labor unions. Although Minnesota did not have a record of lynching, the 1921 hanging of three Black men in Duluth made it an issue in the state and the Black community lobbied for the anti-lynch law that was passed by the State Legislature the same year.

Black and white society in the Twin Cities were frequently segregated in 1930. Hotels, restaurants and clubs in Minneapolis were generally segregated until the late thirties and Black restaurants, rooming houses and private homes filled the gap. Neither Jews nor African Americans practiced in the local hospitals nor could interns from these groups complete their practicum in the local hospitals. Discrimination in hiring and firing practices and in housing was routine. Yet Blacks maintained a thriving society, replete with Black-owned newspapers, and churches, restaurants, clubs, fraternal halls, and civil rights organizations.

In 1927, the Black population in Minneapolis (about 4,000 in 1930) had begun to come together in two main areas of the city: the near north side neighborhood that fanned out around a business and entertainment area along Lyndale and 6th Avenue and the south side area that focused around a business node at 4th Avenue South and 38th Street. A 1926 Minneapolis Urban League report indicated that most Blacks were employed as porters, waiters and laborers. Privately owned Black businesses included a pharmacist, an undertaker, a few restaurant proprietors and several barbers. Minneapolis had seven Black lawyers, two physicians and two dentists. A total of thirty-two Blacks were employed by the postal service. The city employed Black men as firefighters and police officers. The population of the St. Paul Black community at this time was about equal to the Minneapolis community and was developing in generally the same way. The St. Paul community was

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beginning to coalesce from scattered areas into a racially mixed neighborhood of Russian Jews and Irish around Rondo Avenue (now Concordia). Most Blacks in St. Paul were employed as porters, waiters, maids and laborers, while a smaller class of professionals offered legal, medical, and other services and provided a Black press. A few Blacks were employed by municipal police, fire, and architectural departments. Both communities were interconnected by a network of marriage and social ties.

The Twin City community was not isolated from the mainstream of Black intellectual thought during this period and was kept apprised of national and local current events by the local Black press, the most widely read of which was Cecil Newman's *Minneapolis Spokesman* and St. Paul counterpart, the *Recorder*. This paper (in print since 1934), along with the local Churches, were considered the mouthpiece for Black issues. In addition to these forums of expression, race and inter-racial organizations hosted many the country's leading intellectuals to speak in their halls during the 1930s: Langston Hughes, James Weldon Johnson, W.E.B. DuBois, George Schuyler, Elmer Anderson Carter, Zora Neale Hurston, Mary M. Bethune, and George Washington Carver. Black labor organizer and former editor of the radical Harlem magazine *The Messenger*, A. Philip Randolph, visited the Twin Cities three times a year as he crisscrossed the country organizing Pullman porters into branches of the Brotherhood of Sleeping Car Porters.

Keeping step with the rest of the nation, St. Paul and Minneapolis established separate branches of the NAACP in 1913 and 1914 respectively and Urban Leagues in 1923 and 1925. The Minneapolis chapter was apparently founded under the auspices of Abram L. Harris, graduate of Howard University and former writer for Randolph's *Messenger*. Both of these organizations were racially integrated, reflecting the trend toward cooperation between the races and the need for funding sources outside the Black community. Both the NAACP and the Urban League were a part of a larger network of secular and religious organizations that cooperated on all levels to make a voice for the issues of the day. Neither organization was fully developed in the Twin Cities until the period between 1930 and 40. This fruition can be related to the depression era and a period of increased poverty and racism as well as the changing political climate. The social, political, and economic

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milieu of this time encouraged and warranted a stepped-up vigilance for civil rights. Civil rights activism also received stimulus from a re-examination and renewal of the earlier Harlem Renaissance that refocused on African-American folkways and working class life.

In 1934, the whole nation was following the trial of the five Scottsboro boys (accused of raping a white woman) and their defense by the International Labor Defense. The trial served as a rallying point for Black activism across the United States, including the Twin Cities. Both of the local chapters of the NAACP would follow this trial. The local Black press gave considerable space to the trial and community activities related to it. Although no records exist for the Minneapolis branch at this time, the St. Paul chapter minute books (1934-1935 and 1939-1942) indicate that the NAACP was active in the dissemination of information about a variety of local and national civil rights issues: distributing NAACP pamphlets on the Neal (Florida) lynch case, monitoring the language of the local white press, and circulating petitions through the churches concerning the lynch issue. The St. Paul chapter was also monitoring hiring practices in downtown department stores, and was successful in influencing the local radio station, WCCO, to broadcast a program about the federal Castigan-Wagner anti-lynching bill that had been introduced to the Senate. (It would not be passed.) The local issue of discrimination in employment in local breweries would be brought to the public's attention by Cecil Newman who organized a boycott of those breweries. The boycott was part of the news for several years from its inception in 1935. It may have been the first economic boycott organized by Blacks in Minneapolis.

In 1936 the United States Supreme Court returned the Scottsboro case back to the Alabama courts. The International Labor Defense called for the support of all civil rights organizations in the interest of the young Scottsboro men. In the Twin Cities, the NAACP called for a mass meeting at the Phyllis Wheatley gymnasium to form such a coalition. A racially integrated crowd of two hundred people attended the meeting where Simpson Methodist minister, F.T. Kennedy, lectured on the civil rights environment of the South. A resolution was adopted stating the intent of the coalition to focus attention on the

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proceedings of the Scottsboro trial. It was also resolved that copies of this resolution be sent to President Roosevelt, Senators and Congressmen, the presiding Alabama judge, and the Mayor and City Council of Minneapolis. A collection was taken for the defense fund. Ms. Lena O. Smith, then President of the Minneapolis NAACP, presided at the meeting. (A second meeting two and a half months later would not be well attended.)

Although local civil rights organizations never coalesced during this period, but maintained distinct entities, the spirit of cooperation prevailed. Churches, the Black Press, the Urban League, and the NAACP, were among the primary groups that would bring civil rights issues of the 1930s and 1940s to the attention of the public. These cooperating organizations would also be responsible for the process of legal redress in local civil rights cases. Lena Olive Smith, President of the NAACP from 1935 to 1939, would relinquish that position to become a member of the Executive Board and Chair of the joint Legal Redress committee of the Minneapolis and St. Paul NAACP. As Chairman of the Twin City Legal Committee, (the Redress Committee) Smith would be a major impetus for a pro-active posture in the courts.

Lena Olive Smith represented the NAACP as early as 1931, and was the prosecuting attorney in the A.A. Lee case concerning segregation in a south Minneapolis neighborhood. The case drew much local attention as crowds estimated in the thousands milled the area around the home of the A. A. Lee family, recently purchased in a previously all-white neighborhood around 46th Street and Columbus Avenue. Under the representation of another attorney, the Lee family had been advised to sell their home to the neighborhood committee and leave the area. The Lee family dropped his counsel and Lena O. Smith stepped in to defend the right of the Lee family to keep their home at 4600 Columbus Avenue.² She is quoted in the Minneapolis Journal:

"Mr. Lee will retain his home. He never agreed to sell the property, reports to the contrary notwithstanding. As far as Mr. Lee is concerned, there will be no further negotiations with any committee of citizens. ...The police have agreed to give ample protection to the property. Mayor William A. Anderson and Chief William J. Meehan have been informed of Lee's decision."

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The NAACP had already set precedent in this type of case when Clarence Darrow won the Sweet Case in Detroit 1926.

Lena O. Smith handled other locally important civil rights cases in the period before 1940 including suits with White Castle and the Nicollet Hotel (both suits concerned equal access to public accommodations). Smith was active in ending the policy of segregation of Black audiences to the balcony of the Pantages Theatre in Minneapolis. In 1937, Ms. Smith instigated the investigation of the alleged beating of a Curtis Jordan by two off-duty Minneapolis detectives. Twenty citizens, most of them eye-witnesses to the case, gathered. Although local civil rights organizations never coalesced during this period, but maintained distinct entities, the spirit of cooperation prevailed. Churches, the Black Press, the Urban League, and the NAACP, were among the primary groups that would bring in the office of Inspector Ohman to hear testimony. Ms. Smith, John Thomas (a local youth worker), and Spokesman editor Cecil Newman, demanded the suspension of the detectives. (The case was ultimately dismissed by a municipal judge.) Ms. Smith also spearheaded the NAACP protest of the University of Minnesota's showing of "The Birth of a Nation" (1940). St. Paul NAACP minutes indicate that during her tenure as Chairman of the Legal Committee, several other cases were monitored by the NAACP.

In 1939, Lena O. Smith was listed in Who's Who Among Women Lawyers. She was a member of the Hennepin County Bar Association, the Minnesota Bar Association, the American Bar Association and the National Association of Women Lawyers. She was known to have had an extensive law library. Ms. Smith was active in her practice until her death in 1966. Contemporaries³ remember her as the most aggressive and vocal civil rights lawyer of the time and one who had an especially keen sense of civil rights issues.

The career of Lena Olive Smith is important within the historical context of social activism in the Twin Cities' Black community on several levels. As a black woman, Ms. Smith was a pioneer in the field of law in the Twin Cities and no doubt, within the state⁴. Her practice came of age during a period of important changes in Black American life. The years between 1920 and 1940 witnessed the organization and maturation of major

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civil rights organizations, a cultural renaissance of African-American literature, theater and arts, the organization of Black labor, new political alliances, the Great Depression and the impacts of New Deal programs. Ms. Smith's involvement with the Urban League and the NAACP as well as her pro-active posture concerning civil rights cases, indicate that she was a champion of the major historical changes of her time.

Notes:

¹It is, of course, often difficult to enumerate the founding members of any organization as the literature often names several members meeting at different localities throughout the community. However, two obituaries coming from reliable sources within the Black community cite her as a founding member: An obituary written by Ms. Smith's sister, Francis Smith Brown, for the Hennepin County Bar Association and the November 10, 1966 obituary published by the Black newspaper *The Spokesman*.

²The Lee family remained in the Columbus Avenue for about two years. They lived in the basement of their house until the hostility of some neighbors drove them out.

³Lena Smith has few living contemporaries, but oral interviews with prominent Black labor leader and DFL party activist Nellie Stone Johnson, as well as Mr. Hobart Mitchell Sr. who served in the Minneapolis chapter of the NAACP with Ms. Smith, indicate that she was the most aggressive civil rights lawyers of her time. A biography in *Contributions of Black Women to Minnesota History* cites Ms. Smith as an attorney whose "...tireless efforts brought about many civil rights changes for Blacks during the 1930s and 40s.". Her memoriam in *Memorial for Deceased Members of the Hennepin County Bar Association* refers to Ms. Smith as the most "vocal, valiant and aggressive fighter for the civil rights of minorities in Minnesota" during the 1920s and 1930s. A review of the Black press during the period 1934-1940 supports these views.

⁴The bio in *Contributions of Black Women to Minnesota History* cites Ms. Smith as one of the first Black Attorneys in the state of Minnesota and the memoriam in *Memorial for Deceased Members of the Hennepin County Bar Association* refers to Ms. Smith as one of the first three Black women to be admitted to the general practice of law in the United States.

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The following members and former members of the Minneapolis community were helpful in gathering information toward the completion of this nomination:

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