

# Guide to the George Bundy Smith Papers

MS 2088



compiled by Eric Sonnenberg

August 2021

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## Collection Overview

**REPOSITORY:** Manuscripts and Archives  
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P.O. Box 208240  
New Haven, CT 06520-8240  
(203) 432-1735  
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<http://www.library.yale.edu/mssa/>

**CALL NUMBER:** MS 2088

**CREATOR:** Smith, George Bundy

**TITLE:** George Bundy Smith papers

**DATES:** 1937–2018

**PHYSICAL DESCRIPTION:** 1.69 linear feet (5 boxes)

**LANGUAGE:** The materials are in English.

**SUMMARY:** The George Bundy Smith papers document Smith's life and career as a judge, author, and activist. Materials consist of writings and speeches by Smith; clippings, photographs, correspondence, and ephemera documenting Smith's career as a judge and lawyer; his activism as a Freedom Rider in Alabama; his work as an author and professor; and his education and family life.

**ONLINE FINDING AID:** To cite or bookmark this finding aid, please use the following link: <https://hdl.handle.net/10079/fa/mssa.ms.2088>

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## Requesting Instructions

To request items from this collection for use in the Manuscripts and Archives reading room, please use the request links in the HTML version of this finding aid, available at <https://hdl.handle.net/10079/fa/mssa.ms.2088>.

To order reproductions from this collection, please go to [http://www.library.yale.edu/mssa/ifr\\_copy\\_order.html](http://www.library.yale.edu/mssa/ifr_copy_order.html). The information you will need to submit an order includes: the collection call number, collection title, series or accession number, box number, and folder number or name.

Key to the container abbreviations used in the PDF finding aid:

b.      box  
f.      folder

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## Administrative Information

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### Immediate Source of Acquisition

Gift of Alene L. Smith, 2018.

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## Conditions Governing Access

The collection is open for research.

Original computer files may not be accessed due to their fragility. Researchers must consult access copies.

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## Conditions Governing Use

Copyright is retained by Alene L. Smith for materials authored or otherwise produced by George Bundy Smith. Ten years after the lifetime of Alene L. Smith, copyright passes to Yale University. Copyright status for other collection materials is unknown. Transmission or reproduction of materials protected by U.S. Copyright Law (Title 17, U.S.C.) beyond that allowed by fair use requires the written permission of the copyright owners. Works not in the public domain cannot be commercially exploited without permission of the copyright owners. Responsibility for any use rests exclusively with the user.

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## Preferred Citation

George Bundy Smith Papers (MS 2088). Manuscripts and Archives, Yale University Library.

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## Biographical / Historical

George Bundy Smith was a judge, author, and civil rights activist who served on the New York State Supreme Court and Court of Appeals. Smith was born on April 7, 1937 in New Orleans, and grew up in Washington, D.C. He received a scholarship to Phillips Academy Andover, where he was the only Black student in his class, graduating in 1955. He earned a BA from Yale University in 1959; an LLB from Yale Law School in 1962; an MA in 1967 and PhD in 1974 from New York University; and a Master's Degree in the Judicial Process in 2001 from the University of Virginia School of Law.

In 1961, while a student at Yale Law School, Smith participated in a Freedom Ride in Alabama to protest segregation. Smith and several others were arrested at the Montgomery bus station and convicted of breach of the peace. The conviction was later overturned by the United States Supreme Court.

After graduation Smith was a staff attorney for the NAACP Legal Defense and Educational Fund and a law secretary to several judges. After serving as administrator of New York City's Model Cities program, Smith was appointed as a New York City Criminal Court judge in 1975. He subsequently served as a judge at several levels of the New York courts, including the New York Supreme Court from 1980 to 1986, the New York Supreme Court Appellate Division from 1987 to 1992, and finally on the New York Court of Appeals, the state's highest court, from 1992 to 2006. Among his notable opinions was *People v. LaValle*, which ruled that New York's death penalty statute was unconstitutional. After leaving the court, Smith was a partner in the Chadbourne & Parke law firm.

Smith wrote frequently in law reviews, legal magazines, and newspapers and co-authored a high-school textbook, *You Decide! Applying the Bill of Rights to Real Cases*, with his wife, Dr. Alene L. Smith. He also taught law courses at Baruch College and Fordham University School of Law.

Smith married Dr. Smith and had two children, George Jr. and Beth. His twin sister, Inez Smith Reid, also graduated from Yale Law School and served as a judge on the District of Columbia Court of Appeals. Smith died on August 5, 2017.

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## Scope and Contents

The George Bundy Smith papers include writings, speeches, correspondence, clippings, and other materials documenting Smith's life and career as a judge, author, professor, and civil rights activist. Writings include

articles for legal journals and publications on commercial law, voting rights and election law, and other legal topics. Speeches were prepared for delivery at a wide range of events and discuss Smith's legal career and judicial philosophy as well as his early life, education, and civil rights activism. Smith's participation as a Freedom Rider is documented by correspondence and clippings and is also discussed in his many of his writings and speeches. Correspondence, clippings, course materials, biographical material, and ephemera further document Smith's legal and teaching career. Collection materials primarily relate to his professional work and activism, but some personal photographs and correspondence are included as well. The bulk of the materials date from roughly 1979 through 2017, but some earlier materials are included.

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## **Arrangement**

The papers are arranged in five series: I. Legal Career, 1979-2013. II. Activism and Teaching, 1961-2018. III. Writings and Speeches, 1968-2017. IV. Honors and Awards, 1994-2015. V. Personal, 1937-2017.

## Collection Contents

### Series I: Legal Career, 1979–2013

The series contains correspondence, clippings, biographical material, notes, and ephemera related to George Bundy Smith's career as a lawyer and jurist and his involvement in professional organizations.

Materials are sorted into three groupings: New York State Supreme Court materials, New York State Court of Appeals materials, and other professional and biographical information. Materials are arranged in approximate chronological order within each grouping.

b. 1, f. 1	New York State Supreme Court campaign pamphlets, recommendation letters, and ephemera	1979
New York State Court of Appeals		
b. 1, f. 2	Court of Appeals nomination materials Clippings and correspondence regarding Smith's appointment to the New York State Court of Appeals. Also includes text of remarks by Smith to the New York State Senate Committee on the Judiciary, and at his swearing-in ceremony.	1992
b. 1, f. 3	Clippings Clippings, brochure, and magazine and journal issues featuring articles and interviews about Smith.	1994–2013
b. 1, f. 4	Case notes	1995
b. 1, f. 5	Death penalty case materials Clippings, research files, memoranda, and judicial opinions related to cases concerning the death penalty, particularly <i>People v. Darrel K. Harris</i> and <i>People v. Lavallo</i> .	2002–2006
b. 1, f. 6	Court of Appeals retirement and post-retirement materials Clippings, correspondence, speeches, and pamphlets regarding Smith's retirement from the New York State Court of Appeals and his post-retirement activities related to the court. Also includes text of remarks by Smith at his retirement.	2006–2012
Professional and biographical		
b. 1, f. 7	Professional organizations Pamphlets, correspondence, and a photograph related to Smith's involvement in the Metropolitan Black Bar Association, the Judicial Friends Association, and the St. Thomas Aquinas College President's Council.	1987–2004
b. 1, f. 8	"20 years...and counting" booklet Booklet commemorating Smith's 20th anniversary as judge. Includes curriculum vitae, list of clerks, remembrances, and clippings from Smith's judicial career.	1996
b. 1, f. 9	Chadbourne & Parke LLP materials Announcements and biographical materials related to Smith's work as a partner at Chadbourne & Parke.	2006

## Professional and biographical (continued)

b. 1, f. 10	Curriculum vitae	2006
b. 1, f. 11	Biography and professional history with summaries of significant opinions	2006
b. 1, f. 12	Oral history transcript for interview with the Oral History Program of the Historical Society of the Courts of the State of New York	2009

## Series II: Activism and Teaching, 1961–2018

The series contains correspondence, clippings, photographs, and course materials documenting Smith's work as an activist and college professor.

Materials are arranged approximately chronologically.

b. 1, f. 13	Freedom Ride correspondence, clippings, and photographs Correspondence, statement from Yale Law School dean Eugene Rostow, photocopies of Smith's mug shot and artwork, and clippings related to Smith's participation in a Freedom Ride in Montgomery, Alabama.	1961, undated
b. 4, f. 1	Crossroads Africa materials Pamphlets and correspondence related to Smith's involvement with Operation Crossroads Africa. Also includes issue of <i>Look</i> magazine with article and photograph featuring Smith.	1961, circa 1968, 2018
b. 1, f. 14	Course syllabi and exams, Baruch College Syllabi and exams for courses taught by Smith on American Government Practices and Values, Management and Society, and The Social and Governmental Environment of Business.	1975–1981
b. 1, f. 15	Course syllabi, Fordham University School of Law Syllabi for courses taught by Smith on New York Criminal Procedure.	1992-2006, undated



## Series III: Writings and Speeches, 1968–2017

The series consists of articles and speeches written by Smith. Articles cover a range of legal topics, and speeches discuss Smith's life and experiences as a judge and civil rights activist. Articles are generally originals or copies of the published text, and speeches are generally a draft text prepared for delivery.

Materials are sorted into two groupings: Writings and Speeches. Materials are arranged in approximate chronological order within each grouping.

Writings		
b. 1, f. 16	<i>Pan African Journal</i> , Fall 1968 Copy of journal with article by Smith titled "Pan-Africanism and Nkrumah's Foreign Policy"	1968
b. 2, f. 1	<i>Reapportionment and Black America: A Study of the Effect of Reapportionment on the Election of Blacks to American Legislatures</i> , New York University PhD dissertation	1974
b. 2, f. 2	Legal journal articles and Continuing Legal Education seminar materials	1975-2007, undated
b. 2, f. 3	<i>You Decide! Applying the Bill of Rights to Real Cases</i> textbook and teacher's manual	1992
b. 2, f. 4	<i>New York Law Journal</i> articles Photocopies and drafts of Smith and Thomas J. Hall's "Commerical Division Update" articles, along with an opinion piece by Smith titled "An Unfinished Struggle," published in the <i>New York Law Journal</i> .	1996, 2007-2017
b. 2, f. 5	Brennan Lecture, Hugh Jones Lecture, and Kaplan Memorial Lecture materials	1999–2009
b. 2, f. 6	<i>The Multimember District: A Study of the Multimember District and the Voting Rights Act of 1965</i> , University of Virginia School of Law master's thesis and materials	2001
b. 3, f. 1	<i>Commercial Litigation in New York State Courts, 4th Ed.</i> , Chapter 56, "Appeals to the Court of Appeals"	Circa 2015
Speeches		
Typescripts of speeches and remarks delivered by Smith on a range of occasions. Subjects include Smith's experiences at Phillips Andover Academy and Yale University, his participation in the Freedom Rides, and his legal career and philosophy of law.		
b. 3, f. 2	1988-2002	1988–2002
b. 3, f. 3	2003-2007	2003–2007
b. 3, f. 4	2008-2013	2008–2013

**Series IV: Honors and Awards, 1994–2015**

The series consists of programs, clippings, and ephemera related to honors and awards received by George Bundy Smith. Also includes texts of speeches delivered by Smith and others upon receipt of some of the awards.

Materials are arranged in approximate chronological order.

b. 3, f. 5	Honorary degree ceremonies and speeches Speeches, programs, and correspondence from honorary degree ceremonies for Smith at Albany Law School, Brooklyn Law School, Fordham University, and St. Thomas Aquinas College.	1994–2013
	Honors and award ceremonies Programs, correspondence, speeches, and other materials from honors and award ceremonies for Smith.	
b. 3, f. 6	1985–2006	1985, 2000–2006
b. 3, f. 7	2006–2007	2006–2007
b. 3, f. 8	2008–2011	2008–2011
b. 3, f. 9	Scholarships and awards in honor of George Bundy Smith Speech, programs, flyers, and correspondence related to the Fordham University School of Law's George Bundy Smith Scholarship, the New York State Bar Associations' George Bundy Smith Pioneer Award, and the New York City Bar's George Bundy Smith Lecture.	2010–2018

**Series V: Personal, 1937–2017**

The series contains correspondence, photographs, clippings, and ephemera documenting Smith's education, family life, and funeral.

Materials are arranged in approximate chronological order.

b. 4, f. 2	Smith family correspondence	1937, 1957-1958
b. 4, f. 3-4	Phillips Academy Andover correspondence, awards, clippings, and ephemera Correspondence and ephemera from staff and faculty during Smith's studies at Phillips Academy Andover, including grade reports and academic awards. Also includes programs and clippings from later events at Andover.	1952–1960, 2008-2017
b. 4, f. 5	Photographs Contains personal, family, and professional photographs from across Smith's life, primarily related to his judicial service on the New York Court of Appeals.	Circa 1948-Circa 2010s
b. 5	"Wind Beneath Our Wings" DVD 2019-m-0006-0001 <i>1 DVD-R 747294720 bytes (747.29 Megabytes.)</i> As a preservation measure, original materials may not be used. Digital access copies must be provided for use. Contact Manuscripts and Archives at <a href="mailto:beinecke.library@yale.edu">beinecke.library@yale.edu</a> to request access.	2005
b. 4, f. 6	Obituaries and funeral materials	2017

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## **Selected Search Terms**

The following terms have been used to index the description of this collection in the Library's online catalog. They are grouped by name of person or organization, by subject or location, and by occupation and listed alphabetically therein.

### **Subjects**

African American lawyers  
African Americans -- Civil rights  
Courts -- New York (State)  
Freedom Rides, 1961  
Judges  
Law -- United States  
Lawyers

### **Names**

Smith, George Bundy