

# THE HOMOSEXUAL CITIZEN

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● NEWS OF CIVIL LIBERTIES  
● AND SOCIAL RIGHTS  
● FOR HOMOSEXUALS

JUNE 1966



# Table of Contents

VOL. 1 NO. 6

## WASHINGTON SECTION

Hamilton Hotel Settles	3
May 21st Nationwide Protest	3
Two Arrested for Extortion	4
The Government: From Within	5
The Standard of Love	6
New York Report	8

## FLORIDA SECTION

The Psychiatrist as Social Tranquillizer	11
Excerpt from Benjamin Karpman, M.D.	15

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# WASHINGTON SECTION

## Hamilton Hotel Settles

by Dr. Franklin E. Kameny

In an out-of-court settlement, the Manger Hamilton Hotel, Washington, D.C., has paid \$500.00 to the East Coast Homophile Organizations (ECHO) for damages arising from their last-minute cancellation of hotel accommodations for the 1964 ECHO Conference.

The case, handled by attorney Monroe H. Freedman, arose in September, 1964. The ECHO Conference was originally scheduled to be held at the International Inn. ECHO took no action when that hotel backed out, since provisional alternative arrangements already existed at the Gramercy Inn. When it canceled, too, a lawsuit was initiated, which induced the Gramercy Inn to recognize its original contract. By that time, however, arrangements were under way with the Manger Hamilton.

The Manger Hamilton was presented with full background material on ECHO, including a program of the 1963 Conference, and a brochure describing ECHO and its component organizations. The material was noted, arrangements made, a \$100.00 deposit accepted, and publicity commenced.

Several days before the Conference, by registered letter, the hotel informed ECHO that arrangements were canceled. No explanation was given, then or later. Fortunately, it was possible, even on the very short notice involved, to get accommodations at the Sheraton-Park, where the Conference was finally held.

Negotiations were begun immediately between ECHO's lawyer and the Manger Hamilton. The final settlement vindicates ECHO. More important, it demonstrates, clearly, that homosexuals are not going to tolerate abrogation of their rights, or treatment as second-class persons. The Manger-Hamilton apparently felt that a formal contract, entered into with a homophile organization, could be violated with impunity. They have been shown otherwise.

## MAY 21st NATIONWIDE PROTEST

Theme: The Homosexual's Response to the Draft Call - A Moral Dilemma

by John Marshall

Organizations in major cities such as San Francisco, Los Angeles, New York, Philadelphia, and Washington are sponsoring various protests. These activities are designed to dramatize the problems posed by present military and selective service regulations to large numbers of homosexual citizens.



During the first National Planning Conference of Homophile Organizations, held in Kansas City on February 19-20, the Council on Religion and the Homosexual, Inc. of San Francisco proposed a nationwide protest to be held on Armed Forces Day, May 21. Representatives of groups all over the country supported this motion which included the theme.

As its role in the protest, The Mattachine Society of Washington is holding a picketing demonstration. It will start at the White House and progress either by march or car caravan to its destination, the Pentagon.

A full report on this event as well as the demonstrations undertaken by other groups will be featured in the next issue.

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## TWO ARRESTED FOR EXTORTION

by David Slighon

Two men were arrested in Philadelphia May 11 and held on charges linking them with a "big time" extortion operation in New York which allegedly has victimized television personalities and other prominent persons on the basis of homosexuality.

FBI agents arrested Elwood L. Hammock, 47, of Durham, N.C., and Sherman C. Kaminsky, 38, of Baltimore, as a result of a warrant issued May 7 in New York City. They were charged with using the mails to promote an extortion ring scheme in several states. Both had been previously arrested in Chicago April 25 for an \$11,000 extortion last October.

U.S. Commissioner Edward W. Furia of Philadelphia questioned FBI agent John C. Murray, who arrested the pair, about the development with homosexuality, according to an article in The Philadelphia Inquirer May 12.

Murray said that on May 9 he received a call from New York informing him of the warrant for arrest. He testified that Hammock and Kaminsky were charged with meeting a "person in Maine in October of 1965, and later they met him again in New York City and traveled back and forth between New York and Maine consorted with the person for the purpose of extortion."

Commissioner Furia asked, "What type of extortion?"

"To expose a situation in which this person had been involved," Murray replied.

"Don't give me riddles," Furia countered heatedly. "Tell me what's going on here."

After additional questioning, Murray finally stated, "The victim had performed homosexual acts."

Furia said, "In the vernacular, the extortion involves setting people up to commit homosexual acts and then extorting money from them."

"That is it," replied Murray.

## The Government : From Within

by Evan Colodny

IT MAY TAKE AWHILE until the Civil Service Commission is confronted with a clear-cut court case challenging its policy on homosexuality. In the interim, however, we should be aware of the precedents being established in the courts and how they might apply in other situations.

THE VETERANS ADMINISTRATION has been taken to court for its failure to notify an employee within sixty days of his ineligibility for an in-grade raise. Two principles of Civil Service rules are involved in this case: 1) the right of an employee to receive sixty days notice that his work does not meet "minimum acceptable standards" and 2) the right of the supervisor to define the meaning of "minimum acceptable standards" according to his whims.

As a direct result of this case, CSC has directed each agency in its domain to establish more formal criteria of "minimum acceptable standards." Several agencies have already complied. Besides your right to prior notification when an in-grade increase is denied, do you know that you can appeal this denial?

DO YOU KNOW that according to CSC guidelines each agency should post all job vacancies? Only some agencies comply and, surprisingly enough, are generally those agencies affiliated with the Department of Defense. If you work for an agency posting jobs only up to a GS-6 level, do yourself a favor and remind your personnel department of their obligation to staff the agency with the best possible people -- which is possible only by publicizing available jobs.

THE KNOWN HOMOSEXUAL IS EXCLUDED not only from the old established government agencies, he is also disqualified according to a special edict issued a few months ago, from working for the new poverty groups. In addition, he is ineligible for job retraining or re-education classes. From the above it seems that a known homosexual has to be permanently assigned to the relief rolls -- regardless of how much he can contribute to society.

If you are afraid to consult a psychiatrist because he might be forced to testify against you or somehow cause dismissal from your job -- then be consoled by this recent event:

A STATE SOCIAL WORKER in Pittsburgh, dismissed from his job for refusing to undergo psychiatric examination and allowing the findings to be discussed with his superiors was ordered reinstated with back pay. Mr. John Torrence appealed the dismissal with the aid of the American Civil Liberties Union, which argued that the dismissal was not for "just cause" under the (state) Civil Service Act and infringed on Constitutional rights to privacy. The case is considered important because few precedents exist to determine how far state agencies and other employers (emphasis supplied) can go in insisting upon psychiatric examination of employees and disclosure of results. The order reads, "There appears to be no authority in the (state) Civil Service



Act to demand a psychiatric examination and discussion of the same with the examiner as prerequisite to retain employment. Requiring an employee to get psychiatric help is proper. However it is error to insist upon discussion of such reports and diagnosis."

NOTE: Consult the Mattachine Society of Washington's brochure "How to Handle a Federal Interrogation" for useful pre-hearing guidelines.

Except for editorials, approved by the Executive Board, the views presented in this section of The Homosexual Citizen are not necessarily those of the Mattachine Society of Washington.

## The Standard of Love

COMMENTS ON A MAJOR TREND IN CHRISTIAN THOUGHT

by Warren D. Adkins

"When the law impels one against love," said Martin Luther, "it should no longer be a law." This is an attitude which is more and more becoming a force in modern Christian thought. It is called by various names, but most commonly "situation ethics" or "contextual ethics." For homosexuals it has a special significance.

Present-day Roman Catholic thought speaks for "natural-law morality," and much of current Protestant thought relies primarily on obedience to the law of the Scriptures as a behavioral guide. But many Christian theologians now argue that both natural law and Scriptural obedience are too rigid and inflexible as guides for conduct. They point to the ethics of Jesus, who rejected the burdensome Jewish laws and limited his own ethical command to a twofold teaching: love of God and of neighbor. "The letter killeth, but the spirit giveth life." Under the spirit of such profound and uncomplicated statements, Christian thinkers are beginning to formulate an approach to moral conduct based on the key question which every person must ask himself before acting: "What does God's love demand of me in this particular situation?"

With its emphasis on the demand of love, such an ethic is both lenient and strict. To the Christian "situationist," a sexual relationship, for example, even if it is outside the bounds of law (i. e., outside of marriage) is moral if it is fully responsive to the demands of love. If others are not hurt, and if there is an element of tenderness and care, with concern for the partner as a person, rather than as an object, a sexual experience with that person can be a greater expression of love than a "mechanical, ego-centric exercise of conjugal 'rights' between two uncaring or

antagonistic marriage partners." The situationist ethic can be strict, too. It forbids sexual behavior which does not represent "the most loving thing to do under the circumstances." The great Catholic theologian St. Augustine laid a foundation for situation ethics when he said, "Love, then do what you will."

Proponents of Christian situation ethics call their method of approach a logical framework to ethical problems that does not make the mistake of setting up unreasonable extremes -- either on the side of a too rigid moral imperative or on the side of a too liberal subjectivism. Situation ethics as a method is halfway between these two, admitting only one absolute by which actions must be judged: love.

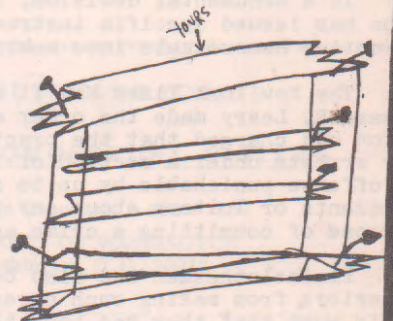
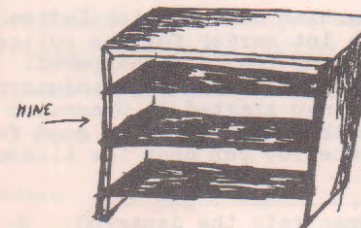
Opponents of situation ethics charge that men cannot always distinguish what is loving from what is not, and they fear that situation ethics will lull men into a false confidence in the capabilities of their own minds. But the new ethics says Time magazine, is "rapidly gaining ground in U. S. divinity schools." It claims an impressive list of supporters, both in the United States and abroad. Theologians of great stature, such as Dietrich Bonhoeffer and Rudolph Bultmann, have promoted situation ethics in Europe. In the United States, exponents include Reinhold Niebuhr, Paul Lehmann of Union Theological Seminary, James Gustafson of Yale, and Joseph Fletcher of Episcopal Theological School in Cambridge, Massachusetts.

It was the spirit of situation ethics which led to the statement on homosexuality (Toward a Quaker View of Sex) by a group of British Quakers active in the medical and social professions. A homosexual union, they said, under certain conditions, can be selfless and honorable and may be a legitimate expression of love.

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The Mattachine Society of Washington can refer individuals in need of assistance to competent, reliable, and sympathetic professionals. This service includes physicians, psychiatrists, lawyers, and clergymen of various faiths. Anyone wishing to contact this service should address his inquiry to: The Referral Service, c/o M.S.W.

## NEW YORK REPORT

by David Slighton

### POLICE STOP ENTRAPMENT

In a monumental decision, the New York City police commission has issued specific instructions that plainclothesmen are not to entice homosexuals into making illegal overtures.

The New York Times May 11 reported that Police Commissioner Howard R. Leary made the order after the New York Civil Liberties Union had charged that the practice of entrapment has been used for arrests under a section of the State Penal Code that makes it an offense punishable by up to six months in prison, if any person frequents or loiters about any public place soliciting men for the purpose of committing a crime against nature or other lewdness.

Plainclothesmen had also been "strongly discouraged" by their superiors from making such arrests without a witness to support their word that they had been the target of homosexual advances, according to police sources.

President of the New York Mattachine Society Dick Leitsch said the new policy "would make it a lot harder for the police to arrest homosexuals. It's the best thing that ever happened. Most homosexuals like the Mayor and Mr. Leary; they're tremendous men. We were taken aback when the big cleanup started in Greenwich Village and Times Square, but since then they've shown good faith. If things keep on this way, we'll vote 100 per cent for Lindsay next time."

A Civil Liberties Union spokesman said the decision was an important victory but he hoped the police do not revert to the practice of entrapment after the public interest in the subject dies down.

## HOMOSEXUALS DEMAND TO BE SERVED

In another New York City development, the Mattachine Society challenged the State Liquor Authority to clarify its regulations concerning serving homosexuals in places of public accommodation.

Three men entered three Village restaurants, identified themselves as homosexuals, and requested service. They were served at Howard Johnson's, at Eighth Street and Sixth Avenue, where the manager said he knew of no law that prohibited them from being served. The second place, the Waikiki, a bar on Sixth Avenue and Tenth Street, also served them.

However, Julius' Bar at West Tenth Street and Waverly Place refused to serve them because they said they were homosexuals. The New York Mattachine Society will file a complaint with the State Liquor Authority, charging the owners of Julius', the F & C Holding Corp., with discriminating against them solely on the grounds of their sexual preference.

The next issue of The Homosexual Citizen will have a detailed article on the latest developments.

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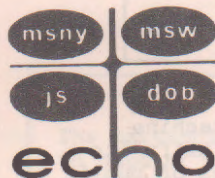
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Theme

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# FLORIDA SECTION

## The Psychiatrist as Social Tranquilizer\*

by L. E. Elson

LAW, LIBERTY, AND PSYCHIATRY. by Thomas S. Szasz, M.D.

New York, Macmillan, 1963. 218 pp. 7.50

The hideous brainwashing scene near the end of George Orwell's 1984 is patterned after a psychiatric session. O'Brien as therapist convinces Winston with drugs, electric shock, and conversation that two and two make five because Big Brother wants it that way. For his own good, and the good of society, Winston's vision must be adjusted to coincide with the accepted way of seeing, regardless of objective truth.

Periodically, THE LADDER or ONE Magazine cites a report in which a homosexual is given "therapeutic" treatment by psychiatrists with electric shock or drugs to recondition his sexual responses. My favorite is the "cure" effected by putting a life-long homosexual into an isolation booth and plying him with drugs that induced violent nausea for several days, during which he was shown pictures of males. The doctors report he married a woman and lived happily ever after.

This "medical" treatment, like the brainwashing scene in 1984, has a medieval flavor that brings to mind the punishment of heretics in the Inquisition, which also aimed at extirpating evil from the victim for the good of his soul and the health of society.

The use of psychiatric treatment as punishment for heresies social, sexual, and political is the subject of LAW, LIBERTY, AND PSYCHIATRY by Thomas S. Szasz. Dr. Szasz, himself a psychoanalyst and psychiatrist, sees "striking parallels between the medieval inquisitor and the contemporary institutional psychiatrist," and between the use of the terms "heresy" and "mental illness."

Dr. Szasz notes that psychiatry started as a liberating social force, but having become an accepted and powerful institution, it has turned into a coercive agent of the status quo. "We are accustomed to thinking of psychiatrists as physicians who help people. Of course, they do that too. But let us not forget that organized groups have always tried to dominate and exploit others. Dr. Szasz writes this about his own profession. He warns against "a therapeutic tyranny that knows no restraints in the pursuit of its interests."

We have been sold the image of the psychiatrist as the disinterested doctor. Dr. Szasz has another story: psychiatry "has

\*Reprinted by permission of THE LADDER, Barbara Gittings, Editor



acquired much social prestige and power through an essentially misleading association with the practice of medicine." But in fact its activity is "medical in name only. For the most part, psychiatrists are engaged in attempts to change the behavior and values of individuals, groups, institutions, and sometimes even of nations. Hence, psychiatry is a form of social engineering. It should be recognized as such."

The concept "mental illness" plays a crucial role in this "social engineering." Dr. Szasz, who is author of another book called *THE MYTH OF MENTAL ILLNESS*, points out that mental illness is an undefined, elastic concept that can be stretched to cover any form of disapproved behavior. The term creates a misleading analogy with physical disease, which can be located in the body. When we speak of "mental illness" we rarely mean a condition we can locate in the brain, like a tumor - and when this is involved, it is the business of the neurologist, not the psychiatrist. Dr. Szasz says that the psychiatrist deals with "problems in living," which involve moral concepts, rather than physiological ailments. "We call people physically ill when their body-functioning violates certain anatomical and physiological norms; similarly, we call people mentally ill when their personal conduct violates certain ethical, political, and social norms." To use the word illness in this context is to convert moral judgments into mental-health terms and thereby to give them a misleading scientific aura. It also keeps us from questioning whether the norms are desirable, and what exactly they are.

Dr. Szasz makes a distinction between the psychiatric profession as an institution and the individual psychiatrist, who may object to its activities, much as there may be a difference between a socially-powerful organized religion and the individual worshipper. His strongest attack is on psychiatrists who run government mental institutions, which he likens to concentration camps, in which the inmate is "stripped" of his identity and degraded to make him amenable to a basic personality change.

However, Dr. Szasz's general charges about the profession - its false analogy with medical treatment, the semantic hanky-panky by which a diagnosis becomes an accusation, and its reflection of the moral prejudices of the average unscientific citizen - must touch to some degree every practicing psychiatrist and psychotherapist.

The profession has propagandized the public on the importance of something called "mental health." We are snowed with statistics showing that only one in every six persons is "mentally healthy," and that 10% of the other five are "psychotic," which must give us a desperate sense of dependency on psychiatrists and a feeling that we have to "Support Mental Health," whatever that means. Few ask on whose philosophical basis we are judging what is good ("healthy") or bad ("diseased").

Behind the public's eagerness to accept the "sick, sick, sick" diagnosis is the fatuous belief that ultimately psychiatry might cure all the world's ills by making everyone happy, rational, and cooperative, if only it can get its therapeutic hands on the troublemakers. Passive and morally dulled, people gladly "delegate responsibilities - and hence powers - to the twentieth

century shamans, the experts. Herein lies the threat of institutionalized psychiatry to human dignity and liberty," says Dr. Szasz.

This concept of the psychiatrist as the "scientific" expert who can solve problems of human behavior exerts a peculiar power over otherwise sophisticated members of the legal profession. They willingly permit the destruction of constitutional rights by handing the psychiatrist the power to be judge, jury, and jailer of anyone he labels "mentally ill." Dr. Szasz is highly critical of these "self-styled liberals who advocate a far-reaching psychiatrization not only of our criminal law but of the whole fabric of our society..." He attacks particularly the "indeterminate" sentence by which a law-breaker can be institutionalized "until cured," which may mean for life, quotes such legal lights as Attorney General Robert Kennedy, who praises this "flexible sentencing procedure which works to rehabilitate offenders" instead of letting them be sentenced for a definite period after which they are released whether they repent or not. Dr. Szasz attacks also the practice of court-ordered psychiatric examination before trial, which can result in an accused person's being denied his constitutional right to be represented by a lawyer and tried before a judge and jury.

The chilling significance of the Attorney General's words appears when Dr. Szasz connects them with the American Bar Foundation's statement that it favors the open-end sentence particularly for offenders against the "sexual psychopath" laws. Noting that there is no "medical syndrome called 'sexual psychopathy'," Dr. Szasz objects to incarceration and compulsory psychiatric treatment under these laws. In many parts of the country, "special statutes govern the incarceration and 'treatment' of sexual psychopaths..." In many jurisdictions, no conviction is necessary, the decision to incarcerate being medical and psychiatric. "Thus a homosexual may be committed to a 'penal institution disguised as a therapeutic one' and given punishment, disguised as treatment, for an indeterminate time, until 'cured.' Since the rate of 'cure' for homosexuality is notably low, presumably a homosexual might be imprisoned in a state mental institution for life for a homosexual act performed in private with another adult.

Thus, the legal minds supposedly dedicated to protecting our constitutional rights and the traditions of Anglo-Saxon law, surrender some of our basic freedoms because of their irrational faith in psychiatry. Their faith is particularly foolish, believes Dr. Szasz, in the face of the appalling conditions in state mental institutions. He points to the harsh effect of "psychiatrization" of the law in the acceptance by would-be liberals of such "cruel and unusual punishment" as electric shock treatment, lobotomy, and indeterminate sentences for law violators.

Regarding psychiatric treatment as an unquestioned good, legal and medical authorities refer to it as a "right." As evidence of confused thinking on the subject, Dr. Szasz quotes a law journal which compares receiving therapy from the state to receiving unemployment compensation. But, he points out, no one wants to refuse



unemployment money, and if he does, he won't be forced to take it. Whereas he may not want psychiatric treatment and it may be forcibly inflicted on him. Dr. Szasz asks, if mental treatment is a right, why isn't there also the "right" to refuse it? And if it is a right, how can it be compulsory?

With compulsory mental treatment for sexual and social deviation, the psychiatrist merges into Big Brother. Dr. Szasz says "...the parallel between political and moral Fascism is close.... upon those unwilling to heed peaceful persuasion, the values of the state will be imposed by force: in political Fascism by the military and police; in moral Fascism by therapists, especially psychiatrists. I think that we are there already and have not realized it," he concludes.

Dr. Szasz has some interesting things to say about deviating sexual conduct. If, as we claim, we believe in personal autonomy and responsibility, we should "regard an adult person's body as his own property, so long as his conduct does not injure his neighbor. This would require us to abstain from interfering, legally or psychiatrically, with sexual activities between consenting adults, even though they may violate our personal and collective judgment of the nature of normal sexual conduct.... We often claim, and perhaps even believe, that we favor (this) ethic. But both our laws and our psychiatric practices contradict this." He goes on to say, "If the state were to favor the ethic of personal autonomy and responsibility, it would be compelled to adopt a less restrictive attitude toward adult citizens whose social conduct, though perhaps morally offensive, is harmful to no one." He notes that the Wolfenden Report (which criticized the view that homosexuality is a disease) said there must remain a realm of private morality "which is...not the law's business."

But, says Dr. Szasz, "Contemporary American mental health legislation is moving in exactly the opposite direction. It seeks to impose close supervision on personal conduct, as if so-called mental sickness were a serious public health hazard." And yet, "labeling conduct as sick merely because it differs from our own may be nothing more than discrimination disguised as medical judgment." Dr. Szasz backs his charges of trespass with hard evidence that is brought together in a fresh way.

This reviewer suggests that those elements in the homophile movement who have an inflated respect for the psychiatric profession and who take masochistic pleasure in inviting psychiatrists to their meetings to tell them that homosexuals are "sick, sick, sick" would do well to study Dr. Szasz's book. Homosexuals are sick, according to these therapists, because anyone who chooses to live in opposition to his society's values invites trouble on himself, and so is "mentally ill." The speakers usually show their liberality by agreeing that nevertheless some of the sex laws should be repealed. Perhaps this is because they want the homosexual to come to them as a voluntary paying patient rather than to be incarcerated by law in a state mental institution where, whether he wants it or not, he gets the treatment for free.

FROM THE WORKS OF  
THE FORMER DR. BENJAMIN KARPMAN  
THE SEXUAL OFFENDER AND HIS OFFENSES

If the so holy and selfrighteous and fanatical "patriotic" leaders (whose holiness and righteousness we question, but whose fanaticism is fairly obvious) want to "go the whole hog," why not revert to medieval practices and revive the auto da fe? They might have all the homosexuals publicly burned at the stake on Pennsylvania Avenue; or they can borrow some ideas from Hitler and Stalin and create some nice concentration camps to which these offensive individuals can be sent to be beaten to death by their holy, righteous and fanatical heterosexual betters.. Perhaps that would be more in keeping with the enlightened state of our present "civilization."

Social discrimination against homosexuals is no different from social discrimination against Negroes and Jews; is no different from the discrimination exercised by a community which is preponderantly representative of one religious sect against the members of other religious sects. It is a lamentable habit of the human race to discriminate against any minority, whether that minority represents race, color, religion or sexual orientation. It is this sort of discrimination which certain amendments to the Constitution were calculated to forestall and offset. How far they have succeeded in doing so may be open to question.



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# HOMOPHILE ORGANIZATIONS

This listing includes American and Canadian homophile organizations of all types and emphases. For information on activities, publications, and membership contact the organization directly.

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P.O. Box 895  
Sacramento, California 95814

Citizens News  
P.O. Box 792  
San Francisco, California 94101

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330 Ellis Street  
San Francisco, California 94102

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3470 Mission Street  
San Francisco, California 94110

Chicago Chapter  
P.O. Box 4497  
Chicago, Illinois 60680

New York Chapter  
P.O. Box 3629  
Grand Central Station  
New York, New York 10017

Demophil Center  
15 Lindall Place  
Boston, Massachusetts 02114

Dionysus  
P.O. Box 804  
Huntington Beach, Calif. 92648

Homosexual Voter's Advisory  
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Denver, Colorado 80217

The Janus Society of America  
34 South 17th Street  
Philadelphia, Pa. 19103

Mattachine Midwest  
4753 Broadway  
Chicago, Illinois 60640

Mattachine Society, Inc.  
693 Mission Street  
San Francisco, California 94105

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P.O. Box 301  
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One, Inc.  
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Los Angeles, California 90006

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