Register of the Leo Gallagher Papers, 1922-1963

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Register of the Leo Gallagher Papers, 1922-1963

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Descriptive Summary
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Biography
Leo Gallagher was a Los Angeles attorney who specialized in labor law, and was known throughout his nearly 40-year practice for the defense of the rights of labor unionists, minorities and the poor. He was active during his life with the vigilant defense of the people's rights to free speech and assembly, and was associated with the active defense of Communist Party members and sympathizers in the United States and abroad during the length of his law practice, beginning in the mid-1920s in California.
Gallagher was born July 11, 1887 in St. Mary's, Kansas. After his family moved to Texas he attended grammar school in El Paso from 1898 until 1902. At 15 years of age he transferred to Canisius College in Buffalo, New York where he graduated from high school in 1905. After obtaining an A.B. degree from the Catholic University in Washington, D.C. in 1907, he went to Yale University Law School; he graduated with a law degree in 1910. He went to the St. Bernard's Theological Seminary, a Jesuit-run school in New York state for the next two years, and in 1912 he continued his studies for the priesthood at the Innsbruck Philosophical Institute in Austria, from which he graduated in 1915 with his doctorate degree. In total he spent six years of his early twenties studying to become a Catholic priest. After a brief trip to Italy Gallagher returned to the United States, working briefly as an agricultural worker in California in 1916 before entering a military-training school. During World War I he entered the army and was assigned to a medical unit but was transferred to the headquarters staff at Camps Travers, Funston, and Lee before he was discharged in 1919 at Camp Funston, Kansas with the rank of second lieutenant.

Gallagher returned to Texas after the war and taught a short time at Creighton University. In 1922 he passed the Texas bar exam and was admitted to the State Bars in Texas and California. He began his law practice in 1922 in California and joined the faculty at the Los Angeles Southwestern University Law School in 1923. His interest in labor causes and progressive politics began in the mid-1920s when he attended meetings of the Industrial Workers of the World during the dock strikes in San Pedro. He began his association with the International Labor Defense (ILD) in 1925. The ILD, the U.S. branch of the International Red Aid, headquartered in the Soviet Union, was dedicated to the active defense of political and labor activists.

In 1931 Gallagher acted as counsel to the defendants in a criminal syndicalist trial in Imperial Valley, California. However, the following year Gallagher was forced to voluntarily resign his position at the Southwestern University Law School for his defense of the Mooney Runners, students who staged a protest at an event during the 1932 Olympics in Los Angeles. In 1933 he defended Tom Mooney, a San Francisco labor unionist convicted for the 1916 Preparedness Day bombing. Gallagher forced a reluctant San Francisco court to try Mooney on a remaining indictment against him. Mooney was acquitted of this charge because the trial showed that fraudulent testimony was used to indict him in the first instance. In 1934, he defended A. E. Smith, general secretary of the Canadian Labor Defense, in his sedition trial. He was also an attorney for defendants in the Sacramento Criminal Syndicalist trial held in 1934 and 1935.

Gallagher was sent in 1933 as part of an ILD delegation to assist in the legal defense of communist George Dimitroff, charged in Nazi Germany with being an undesirable alien. He returned to California and resumed his law practice in association with other progressive attorneys. From 1937 to 1939, he was in practice with Abraham Lincoln Wirin and Grover Johnson, continuing for another two years with Wirin after Johnson left the firm. From 1941 to 1947, as part of Katz, Gallagher, and Margolis, Gallagher practiced with Charles Katz and Ben Margolis. After Katz left, Gallagher and Margolis were associated with John McTernan and Milton Tyre. In 1949 Gallagher left to go into practice by himself.

He was a charter member of the National Lawyers Guild and a sponsor of the Civil Rights Congress after the ILD merged with the National Federation for Constitutional Liberties to form this organization. Gallagher was active in many electoral campaigns. Although he belonged to groups associated with the Communist Party of the United States (CPUSA) such as the ILD, and he took an active interest in defending party members in court, he remained outside of the Party during his life. Moreover, he ran many times on the Democratic Party ticket in the state primaries. From 1948 to 1952 he was a member of the Los Angeles County Democratic Central Committee.

He first ran in 1933 in the primary race for a seat on the Los Angeles Municipal Court bench and lost. He subsequently ran for associate justice on the California Supreme Court in 1934, and for the Los Angeles County Superior Court in 1936, losing the primaries in both races. In 1938, he entered the California Secretary of State campaign on a combined Democratic and Communist Party ticket and lost. Not until 1949 did he choose to run again in a primary race, and this time it was for a seat on the Los Angeles Board of Education. He was never elected to office although he used his campaigns as a platform to advocate progressive programs and ideas.

Gallagher was married in 1938 to the former Hannah Block, a native of Germany whom he had met when she visited the United States in 1923. They had one daughter, Monica. The family resided in Los Angeles for many years. Gallagher retired in 1961 after many years of working in progressive organizations and defending political prisoners and labor unionists. In the early 1960s his health deteriorated and he was hospitalized in Los Angeles where he died on September 28, 1963.

Scope and Content

The Leo Gallagher Papers are divided into five series. They are: PERSONAL, J. B. MCNAMARA, CASES, INVESTIGATIONS, and POLITICAL INTERESTS. Folder 1 in the PERSONAL series contains biographical material on Gallagher, a resume prepared during his 1949 campaign for the Los Angeles Board of Education and newspaper clippings. The clipping pertain to his resignation from the Southwestern University Law School for his defending Tom Mooney supporters who protested his
imprisonment by running onto the Los Angeles Coliseum track during the 1932 Olympics; to a 1933 Los Angeles City Council riot; and to his retirement in 1961. There are also obituaries after his death in September, 1963.

Folder 2 in this series has correspondence and other material from Gallagher’s passport denial in 1953. He was denied a passport under a 1952 provision that allowed the government to withhold passports from persons who supported or were identified with the communist movement. Folder 3 contains a single passport photograph of Gallagher circa 1958.

Folder 4 has a copy of a speech on racism in the United States delivered by Gallagher at a meeting in 1947, and folder 5 contains a collection of letters from him to the editor of the People's World. Folders 6 through 20 have correspondence, 1931-1949, between Gallagher and a range of individuals with whom he had personal and professional contact. Folder 7 contains a resolution dated July 18, 1934 and signed by local attorneys protesting the collusion of public officials with vigilantes in the Imperial Valley. The letters in these folders range over many topics that concerned Gallagher during these years. There is a letter dated September 30, 1937 in folder 10 from the Eureka, California branch of the International Labor Defense (ILD) thanking him for his successful effort to free those workers convicted in the Sacramento Criminal Syndicalist trial of 1935. Folder 11 contains newspaper clippings and letters related to the 1938 State Highway Patrol slaying of a 17-year-old Mexican American youth. Folder 19 has clippings and a copy of a letter Gallagher sent to a Los Angeles Grand Jury related to a police killing of a Mexican American youth in December, 1948. Folder 17 has a copy of Theodore Dreiser's

The folder on Earl Browder contains matter on his 1942 passport case. Gallagher did not participate directly in Browder's defense, but as a supporter, he wrote letters to government officials involved with this case, found in folder 35. Folders 36 and 37 contain publications issued by Browder's defense committees, and clippings related to Browder's case from 1941 and 1942.

Folders 39 through 44 have only a small amount of material related to the activities of the Los Angeles chapter of the Civil Rights Congress. Folder 39 contains correspondence from 1947 through 1951 related to the loyalty check of Los Angeles County employees.
Folders 45 through 50 in Box 1 contain material related to a case handled by Gallagher in 1945-1946 that involved the deportation of Indonesian seamen after more than 200 refused to re-board Dutch or British ships for political reasons. The Indonesian seamen had left their ships at several ports in this country. The legal defense for these seamen was handled by various chapters of the American Committee for Indonesian Independence. Gallagher was chairman of the Los Angeles chapter which aided in the legal fight to stop the Immigration and Naturalization Service from deporting these men. He was active in advising Awan Soenario, vice chairman of the San Francisco Indonesian Association, in the government’s deportation proceedings against him from 1946 through 1949. Folder 50 contains publications from the American Committee for Indonesian Independence, from the Indonesian Association, as well as publications from other nations. There are in Box 2, folder 1 and 2, court transcripts related to the deportation proceedings against the seamen. Folder 3, Box 2 contains photographs of a picket line in front of the Dutch consulate in downtown Los Angeles, circa 1949.

The series, INVESTIGATIONS, folder 7, contains affidavits from victims of police brutality in Los Angeles County from 1935 though 1938. Folders 8 though 10 contain material related to an investigation into a young 13-year-old inmate's apparent suicide at the Whittier State School for Boys on August 11, 1939. Gallagher was appointed by former Governor Culbert L. Olsen to chair this investigation.

Folder 10 contains official photographs of the 1939 inmate's death.

In August, 1937 Gallagher went to Republican Spain as part of a delegation to inspect state-operated children's homes established to protect the young from the effects of the civil war. In Box 2, folders 11 through 15 have material gathered from his trip to Spain. Folder 11 has correspondence from foreign diplomats and ILD officials on arrangements for his entry into Spain, and folder 12 has newspaper clippings on his tour. Folder 13 and 14 have printed matter from the U.S. and Europe on the Spanish Civil War, and folder 15 has postcards of the various political organization that comprised the Republican forces in 1937.

The last series in this collection, POLITICAL INTERESTS, contains correspondence between Gallagher and Catholic clergy, government officials, and diplomats on U.S. domestic and foreign policy, communist teachings, and theology. In folders 16 and 17 are letters exchanged with Catholic clergymen on various social issues, and newspaper clippings from Catholic publications. Folder 18 holds clippings from the years 1935 through 1942 related to the rights of communists to participate in U.S. politics. Folder 19 contains correspondence collected by Gallagher related to his work with the Los Angeles chapter of the United Korean Committee in America, which supported the Korean people's right to self-determination after World War II, and folder 20 has clippings on the crisis in Korea, circa 1946.

Folder 21 has class schedules and ephemera from some of the early Los Angeles workers' schools from the late-1940s, predecessors of the California Labor School. Folder 22 holds catalogs and schedules from the California Labor School, 1948 and 1949. This folder also holds correspondence between Gallagher and board members regarding his further participation in the operations of the school.

Folders 25 through 30 contain campaign fliers, brochures, pamphlets, and related ephemera connected to the various primary races Gallagher entered during his lifetime. Folder 31 contains correspondence from him to persons who participated in a Los Angeles socialist conference in 1958. Folders 32 and 33 have newspaper clippings on topics that interested him from the 1930s through the late 1950s.

**PERSONAL**

| Box 1, Folder 1 | Biographical, 1922-1923, 1933, 1949, 1961, 1963. |
| Box 1, Folder 2 | Passport Denial, 1952-1959. |
| Box 1, Folder 3 | Photograph, ca. 1958(?). |
| Box 1, Folder 4 | Racism Speech, 1947. |
| Box 1, Folder 5 | Letters to the Editor, People's World, 1951-1961. |
| Box 1, Folder 6-20 | Personal Correspondence, 1931, 1934-1939, 1941-1949. |

**J. B. MCNAMARA**

| Box 1, Folder 21-25 | Correspondence, 1936-1940. |
| Box 1, Folder 26 | Newspaper Clippings, 1936-1941. |

**CASES**

| Box 1, Folder 27 | Tom Mooney Case, Newspaper Clippings, 1933. |
| Box 1, Folder 28 | Sacramento Criminal Syndicalist Trial, Case Documents, 1934-1936. |
Box 1, Folder 29-30
Freedom of Speech and Assembly, Los Angeles, 1925, 1933.

Box 1, Folder 31-34
German Reichstag Fire Trial
Correspondence, 1933-1934.
Newspaper Clippings, Gallagher in Germany, 1933-1934.
Personal notes and journal, Germany, 1933.

Box 1, Folder 35
Earl Browder Case, Correspondence, 1942.

Box 1, Folder 36-38
Browder Defense Committees
Publication, 1942.
Newspaper Clippings, 1941-1942.
Contempt Case, 1951.

Box 1, Folder 39-44
Civil Rights Congress
Correspondence, 1947-1951.
By-laws, 1946.
Los Angeles Superior Court transcript, 1949.
Ben Margolis testimony Excerpts, 1949.

Box 1, Folder 45-49
Indonesian Seamen Deportation Case
American Committee for a Free Indonesia, Newspaper Clippings, Correspondence, 1945-1949.
Publications, ca. 1945-1946.
Court Documents, 1945-1946.
Photographs, ca. 1949(?).

Box 1, Folder 50
Rosenbergs/Sobell Case
Correspondence, 1953, 1960.
Defense Committee Publications, ca. 1952(?).

Box 2, Folder 6

INVESTIGATIONS

Box 2, Folder 7
Los Angeles County, Jail Brutality Affidavits, 1935-1938.

Box 2, Folder 8-10
Whittier State School
Correspondence, Reports, Notes, 1939-1940.
Newspaper Clippings, 1939-1940.
Photographs, 1939.

Box 2, Folder 9
Republican Spain Children's Homes Tour
Correspondence, Introductions, 1937.
Newspaper Clippings, 1937.

Box 2, Folder 10
Republican Spain

Box 2, Folder 11-12
Correspondence, 1926, 1949.

Box 2, Folder 13
Republican Spain

Box 2, Folder 14
Newspaper Clippings,
Periodicals, Ephemera, 1937-1938.
Postcards, ca. 1937.

Box 2, Folder 15
Catholicism and Social Issues, Correspondence, 1926, 1949.
Civil Liberties and Communist, Newspaper Clippings, 1935-1942.
Korea: United Korean Committee in America

Box 2, Folder 16
Correspondence, 1944-1946.

Box 2, Folder 17
Newspaper Clippings, 1946.

Box 2, Folder 18
Los Angeles Workers' Schools
Box 2, Folder 21  Catalogs, Ephemera, 1944-1948.
Box 2, Folder 22  California Labor School
Box 2, Folder 22  Correspondence, Catalogs, Ephemera, 1948-1949.
Box 2, Folder 22  Middle East Conflict
Box 2, Folder 23-24  Correspondence, 1956.
Box 2, Folder 24  Newspaper/Periodical Clippings, 1956.

**ELECTION CAMPAIGNS**

Box 2, Folder 25  Los Angeles Municipal Court, 1933.
Box 2, Folder 26  Associate Justice, California Supreme Court, 1934.
Box 2, Folder 27  Los Angeles County, Superior Court, 1936.
Box 2, Folder 28  California Secretary of State, 1938.
Box 2, Folder 29  Los Angeles, Board of Education, 1949.
Box 2, Folder 30  U.S. Senate, Nds.
Box 2, Folder 31  California United Socialist Committee, Correspondence, Ephemera, 1958.
Box 2, Folder 34  U.S. Supreme Court brief, Konigsberg v. California State Bar, 1960.
Box 2, Folder 35  *The Nation*, reprints, 1953-1954.