

# Harvard Documents on Sacco-Vanzetti Case May Fuel Controversy on Fairness Issue

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CAMBRIDGE, Mass.—Documents released by Harvard University today on the Sacco-Vanzetti murder case may fuel controversy over the fairness of a 1927 commission report that sealed the fate of the two anarchist Italian immigrants.

The private papers of former Harvard President Abbott Lawrence Lowell, who headed a governor's advisory commission that recommended the execution of Nicola Sacco and Bartolomeo Vanzetti, indicate he may have written his conclusions before hearing full testimony from the defense.

Initial drafts of the commission report further revealed possible prejudice by Lowell in his attacks on the credibility of a defense attorney and references to defense "propaganda" and such generalizations as, "Italians, particularly those who get into criminal difficulties, commonly carry revolvers. . ."

The drafts and correspondence from April 1927 through 1939 were part of 1,500 pages of Lowell's private papers that had been donated to Harvard, sealed and locked in the University archives.

The electrocutions of Sacco and Vanzetti at Boston's Charlestown State Prison the night of Aug. 23, 1927, spurred worldwide bombings, riots and demonstrations over claims the pair had been victims of prejudice against foreigners and a national climate of political intolerance.

Though the Lowell papers may add to the controversy, they fail to resolve historians' uncertainty over whether Sacco and Vanzetti actually killed a shoe factory paymaster and his guard in the old Massachusetts mill town of Brockton in 1920.

Instead, the papers throw suspicion on the objectivity of the New England Yankee author of the report, which some Sacco-Vanzetti supporters have claimed merely lends "respectability to a discredited trial" and which moved one journalist at the time to call the university "Hangman's House."

The commission, headed by Lowell, was set up by the governor to review the courts' findings and determine if Sacco and Vanzetti had received a fair trial. Rejecting defense claims of prejudice on the part of the judge and the jury foreman, misleading testimony about ballistics tests and conflicting descriptions by eyewitnesses, it concluded they had received a fair trial.

The first draft of the commission report is dated July 20, 1927, five days before historians say the commission heard defense arguments. A second draft is dated the same, but is crossed out and the date July 27 is written in. That is the date the final report was issued to then-Massachusetts governor Alvan T. Fuller.

Harvard officials said they could not explain the dates and would offer no immediate analysis of the papers.

In Lowell's first draft, later stricken from the final report, he writes that defense attorney William G. Thompson "seemed so obsessed with the idea of the defendants' innocence that he had become unable to state the facts or quote evidence accurately; that to him, a suspicion, however improper, rapidly turned into a fact."

Lowell, then 70, served on the commission with former state probate judge Robert Grant and the then president of the Massachusetts Institute of Technology, Samuel Stratton. Lowell conceded in his initial draft that the trial judge "has become so obsessed with the constant presence in

his mind of this case and is in a distinctly nervous condition."

In a letter to Gov. Fuller dated Sept. 9, 1927, Lowell advocated a more thorough investigation, but he put a further shadow over the commission's credibility by stating such a probe would have taken too long.

"A report examining the objectivity and reviewing the evidence in detail would have required a request for a reprieve of a month or six weeks while the committee was preparing the report," Lowell wrote, "and that is the very thing of which there has been too much of in the past."

Lowell stated in his letter to the governor that after he turned in the report he received many requests to recommend commutation of Sacco's and Vanzetti's sentences, "but I paid no attention to them . . . because I think you were perfectly right in refusing the commutation which would have kept the agitation for a pardon open indefinitely.

"Justice has been done, as it should be, and I admire the courage with which you have acted."