

SEP 14 1971

SF Examiner

# Hostages

# Gunned--

# Coroner

## Shot Origins

## Unexplained

ATTICA (N.Y.) — (AP) — Nine hostages killed at Attica state prison during the four-day uprising died of gunshot wounds, a medical examiner (coroner) and hospital authorities said today.

The total number of dead rose to 41 — 10 hostages and 31 inmates.

Prison authorities had said yesterday, after a force of law officers stormed the prison cell block where inmates held 38 captives, that eight of the slain guards had had their throats slashed.

But Dr. John Edland, Monroe County medical examiner, said:

"There were no cut throats or any kind of mutilation."

### 42 Hurt

A Correction Department spokesman said it determined today that 42 inmates were injured. The identification of the 10th hostage victim was not disclosed at once, nor was his name.

How the hostages had died of gunfire remained unclear.

But in Albany, Deputy Correction Commissioner Wim Van Eekeren said there were witnesses to the throat-slashings. And he said it was proved the prisoners had homemade "zip" guns.

"This is definite. These weapons were found," he said. Edland conducted autopsies on eight of the nine slain hostages.

However in Attica without being told of Van Eekeren's statement, but after it was made, the Corrections Department public relations chieftain, Jerry Houlihan, was asked by newsmen if any firearms were found in the rioters' cache of weapons.

### None Found

"No, no firearms have been found," Houlihan replied.

Informed of Houlihan's re-

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port, Van Eekeren was less definite than before, saying:

"It had been reported to me there were zip guns."

The ninth victim, guard Carl Valone, died in a hospital yesterday shortly after the prison was recaptured. The hospital said Valone died of gunshot wounds.

Edland and two other doctors also performed autopsies on the bodies of 21 of the slain prisoners. He said "two of the inmates had slashed throats and stab wounds. Every other one died of gunshot wounds."

The medical examiner said the locations of the gunshot wounds on the hostages varied. Some, he said, had been shot in the head while others had been wounded in the chest or back.

### Some Beaten

Some, Edland said, appeared to have been beaten before their deaths — one in the back and buttocks and the others about their faces.

According to all official reports yesterday, the only guns rebel prisoners were carrying were gas projectile guns. Most of them were armed with clubs, fire bombs and makeshift knives, officials said.

The gas projectile guns the officials referred to fire canisters that are about the size of soft drink cans. The medical examiner said the gunshot wounds that killed the hostages were made by bullets of the type fired by standard firearms.

Deputy Corrections Services Commissioner Robert Fosen said:

"I don't care what they're saying. We have eyewitnesses who saw hostages with their throats slit.

### Saw It

"I'm sorry to be strong about it, but that was what we saw," Fosen said. "We're waiting for the coroner's report. We don't know if they were also shot or not."

The autopsy results conflicted with statements by Russell Oswald, state corrections commissioner, that the eight died when their throats were slit.

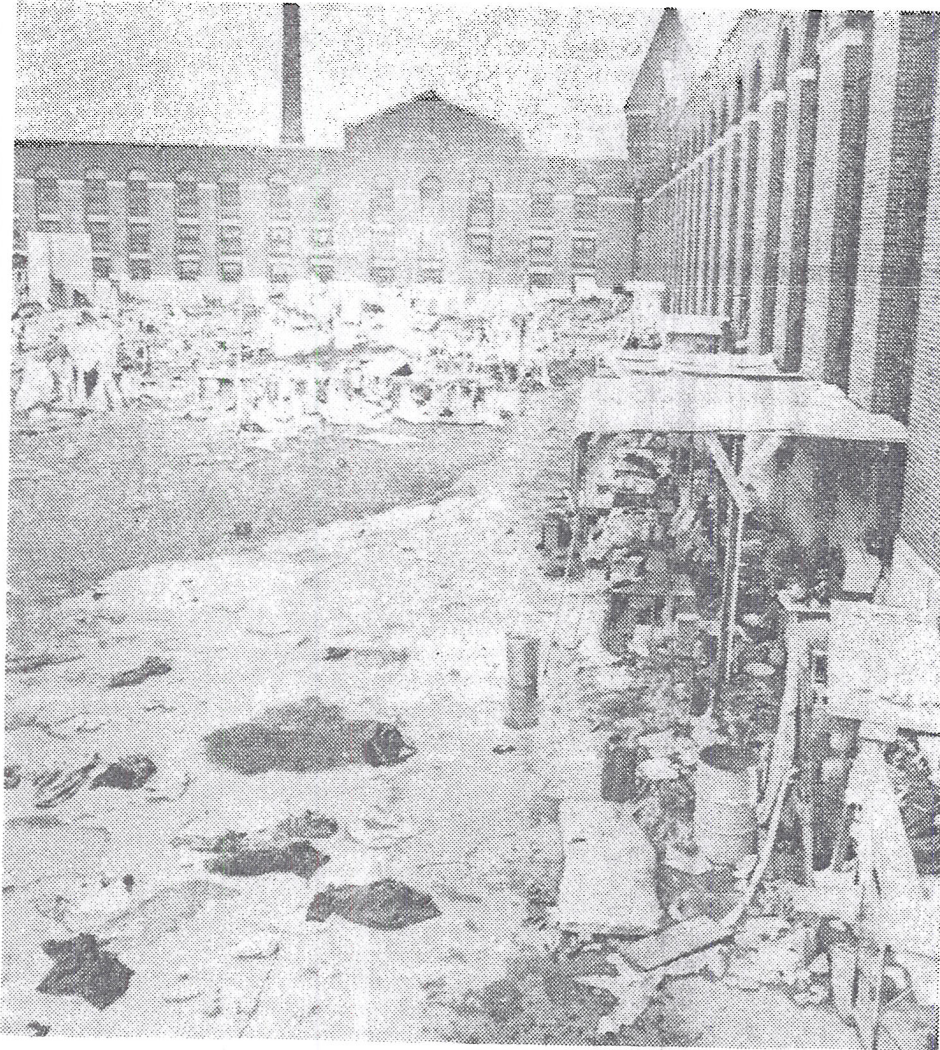
A spokesman for Gov. Nelson Rockefeller said an immediate investigation into the new development had been ordered.

Earlier in the day, U.S. District Court Judge John Curtin of Buffalo issued an order instructing prison officials not to interrogate prisoners on the events of the past four days until the pris-

oners had been counselled by attorneys.

At a hearing in Buffalo, attorney Herman Schwartz argued that it was imperative for lawyers to be admitted to the prison today. He said there was a "danger of informal reprisals" against inmates, adding that virtually every prisoner in one cell-block faces criminal prosecution and needs advice from a lawyer.

Outside the prison walls this morning, a group of lawyers, doctors, nurses and legal assistants awaited the outcome of the hearing. They had been turned away at a prison gate at 3 a.m. when



**THE FIELD OF DREADFUL BATTLE AT ATTICA PRISON**  
The exercise yard of Cellblock D after yesterday's slaughter

—AP Photo

ed the state's actions.

Later the President reiterated his backing of Rockefeller's stand. He did so at a meeting with Republican congressional leaders. And they all agreed with Nixon, according to a report from Senate Republican Leader Hugh Scott of Pennsylvania.

Scott told reporters after a White House meeting with Nixon that the President had brought up the matter of the Attica Prison revolt and told the congressional leaders he felt Rockefeller had "no other recourse available to him under the circumstances in view of the possible danger of greater loss of life."

#### All Agree

Scott said all the GOP leaders present agreed that in this "very difficult situa-

tion Gov. Rockefeller had taken the only course available to him."

Three Black House members said in Washington the revolt stemmed from dehumanizing conditions which they said existed in prisons throughout the country.

Reps. Shirley Chishold and Charles Rangel, both New York Democrats, and Ronald Dellums (D-Calif.) said in a joint statement that the need for prison reform "has been dramatically brought to our attention."

The Attica dead included 10 hostages, one of whom died Saturday after he was thrown out of a window, and 30 prisoners.

State officials believe the riot was planned weeks in advance by black militants and Puerto Ricans. About 55 percent of the prison's 2200 inmates is black. There are no black guards among the prison's 380-man security forces, and only one Puerto Rican.



**DR. JOHN EDLAND**  
The medical examiner  
—AP Photo

they attempted to present the court order.

Oswald, who ordered yesterday's assault said autopsies had showed that two of the slain hostages had been killed prior to the time state police, guards, sheriff's deputies and National Guardsmen moved into smash the rebellion by some 1200 prisoners. He would not say how much earlier the two had died. One of them had been emasculated, he said.

#### In Tunnels

Prison officials said six missing convicts may be dead in the maze of tunnels beneath the 54-acre facility. Some 100 prisoners were wounded, many seriously, when state troopers, National Guardsmen and sheriff's deputies stormed the prison.

lion had been put down and told the governor he support-

The attack plan had the approval of Gov. Nelson Rockefeller, on whose authority the use of National Guard troops rests.

"The tragedy was brought on by the highly organized, revolutionary tactics of militants who rejected all efforts at a peaceful settlement, forced a confrontation and carried out cold-blooded killings they had threatened from the outset," Rockefeller said after the prison had been secured.

President Nixon telephoned Rockefeller after the rebel-

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