

Death of 2 Guards Laid To Pre-Assault Action

By MICHAEL T. KAUFMAN SEP 14 1971

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ATTICA, N. Y., Sept. 13—Just an hour after state police proclaimed the wrecked prison here "secure," separate groups of legislators and reporters—the latter chosen by lot—toured the facility.

The reporters found rocket-launchers, boxes of knives, spears, and Molotov cocktails. They were told by their guide, Walter Dunbar, deputy commissioner of correction, that two of the dead prisoners and two of the guides were killed before the battle for the prison today.

As the reporters went through the prison, they heard curses and shouts of: "This is war."

Bomb-Carrier Shot

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Other lawmakers said they had been shown crates of weapons reportedly manufactured by the inmates. These included knives, spears and fire-bombs.

As they emerged, after an hour and a half in the prison area, Senator Dunne announced that his Committee on Crime and Correction would begin an immediate investigation into the prison riot and the subsequent bloodshed.

Mr. Dunne, a Republican from Garden City, L. I., said he was one of several legislators who implored Governor Rockefeller to come here on Sunday.

"I was certainly disappointed when he did not come," said the Senator. "But subsequent events indicate that it would not have made any difference."

"The prisoners were intransigent and showed they would not enter into any real negotiation," he said.

But others were not so sure that Governor's appearance would not have altered situation. Mr. Eve said:

Breaks Into Tears

"So many of us called the Governor. Everyone felt that the situation was at a point that the Governor's presence was needed here. I am at a loss to understand how a Governor could fail to respond and come to save people's lives just by talking. Frankly, I can't."

Mr. Eve broke into heavy sobs, pushed a microphone from a radio reporter's hands and bolted toward a waiting car.

Mr. Badillo said that the committee had wanted the Governor to come and "talk to us to get the benefit of our experience before he made a final and irrevocable decision."

"As far as I'm concerned, there's always time to die," said the New York City Democrat.

Senator McGowan lamented what had happened here, but said there had been no choice.

"There was much more at stake than just Attica," he said. This was done to benefit our society."