

Big News Breaks
Friday's prison riot is just one more "big story" of many which The Statesman has brought to Salem district readers—first.

The Weather
Fair today and Sunday, no change in temperature; Max. Temp. Friday 82, Min. 49; river -3.1 feet; north-west wind, clear.

EIGHTY-SIXTH YEAR

One Convict Killed in Prison Riot Here; Stern Disciplinary Measures Are Begun

No Food Until Men Quiet Down, Order; Leaders in Bullpen

Other Punitive Measures Will Await Complete Investigation of All Features, Prison Mutiny

Situation Well in Hand With Tumult Finally Quieted; Guard Asserts Shot Fired Toward Ground

NOT even a bread-and-water diet will the inmates of Oregon's state penitentiary who rioted yesterday afternoon get until they quiet down and give assurance they will resume good conduct, Warden James Lewis indicated last night.

The convicts were denied dinner last night and were told there would be no breakfast for them this morning. Four prisoners were promptly placed in the "bull pen" early last night after cell doors had clanged shut behind the 700 rioters. Two of the four were Dupree Poe, Marion county murderer who was missing for an hour yesterday afternoon, and Theodore Jordan, Klamath Falls slayer of a dining car steward. As far as could be learned no other inmates had been placed in the "pen" for their part in the disturbance.

Shouts of prisoners resounded through the cell block corridors last night but prison officials expressed a feeling the situation could be kept well in hand. With every convict accounted for, there was considered to be little chance of difficulty as long as the men were kept behind locked cell doors.

"No meals until you quiet down," was the ultimatum handed them via guards as guards and state police dodged flying knives, bottles and dishes which had been sneaked into the cells when the prisoners were returned from the recreation yard where the riot occurred. Each cell was being searched. One trooper was reported spattered by flying tomato juice.

Punitive Measures Not All Determined
Aside from giving the no-meals order, Warden Lewis said he would wait until today to decide what punitive measures should be taken against the leaders in the yard strife.

Other officials likewise were not ready to say what investigations would be made. Deputy Coroner Virgil T. Golden, who removed the body of Thomas J. Baughn, murderer who was fatally wounded as guards fired to frighten the rioters, to the Clough-Barrick mortuary, said an investigation might be made today. It was undecided whether or not an inquest would be called. (Turn to Page 3, Col. 6)

Prison System Needs to Face 1937 Session

Overcrowding, Possible Reformatory Addition Will Be Considered

Readjustment of Parole and "Good Time" Law Sure to Be Issue

Certainly that a variety of problems directly connected with Oregon's penal system will face the 1937 session of the state legislature, was made emphatic by Friday's riot, the outcome of which was generally regarded in official circles as "much less disastrous than it might have been."

First of all, necessity for solving the problem of overcrowding, a condition which magnifies the dangerous possibilities of outbreaks such as occurred Friday. (Turn to Page 3, Col. 3)

SLAIN CONVICT AND LEADERS IN RIOT



These six convicts played leading parts in the penitentiary riot and ensuing search for missing prisoners yesterday afternoon. Above, right, Thomas J. Baughn, fatally injured by guards' bullets; center, James Hamilton, gravely wounded, and, left, Joseph Duprey, shot in the hand. Below, right, Lloyd Sorahan, Salem convict credited with assisting Frank Tilson, Eugene, in inciting the riot; left, Dupree Poe, Marion county murderer, object of an hour's search after other prisoners had been returned to their cells.

Decision Upon LaNair, Cause

Judge Decides Law Is Not Ambiguous, Parole Is Up to Governor

The legal decision which led directly to the riot in the state prison yesterday was given by Judge Arlie G. Walker, McMinnville, in the application of Roy LaNair for a writ of habeas corpus. Judge Walker ruled that the law relating to indeterminate sentences was "not ambiguous" and that penitentiary prisoners were not entitled to the automatic deduction of good time from their sentences.

LaNair brought his action for release from the prison after a 13-year practice of automatically releasing prisoners when two-thirds of their sentence had been served, had been declared illegal by a ruling of Judge L. H. McMahan in the application of Earl H. Fehl for release. Fehl was conditionally pardoned but is seeking complete release by another action now pending before Judge L. G. Lewelling. (Turn to Page 3, Col. 4)

Martin Seeks Investigation Into Outbreak

MARSHFIELD, Ore., July 31. (AP)—Governor Charles Martin, informed tonight of the prison riot at Salem which cost the life of one convict and brought injuries to two others, said he had ordered an investigation to start tomorrow, "after which we will decide the punishment."

"I told Warden Lewis to lock them up and make them go without their supper," the governor said after talking to Salem by telephone. He said officials had expected such a disturbance and were prepared.

The governor also said he approved of the court decision making mandatory the serving of a maximum sentence unless a parole or pardon is granted. "Who's running this state anyway, the fall birds or the courts?" the governor asked. "I have the greatest respect for the courts."

Marshfield Martin, who came to Marshfield to participate in laying the cornerstone for the new federal building tomorrow, said he did not believe it necessary for him to return to Salem ahead of schedule.

Riot Story Is Told, Witness

Scenes in Prison as Men Go on Rampage Viewed by News Reporter

By CLAYTON V. BERNHARD (Associated Press Staff Writer)
I stood in the yard of the Oregon penitentiary today and watched 700 angry convicts hurl their defiance at six prison guards on the walls and Warden James Lewis.

They milled about, some of them taking it as a lark, others looking hopefully at the walls, wondering whether they could make a dash for it. The din was deafening but the guards just stood there, rifles in hand, watching every move.

Suddenly there was a shrill cry. "Come on guys—let's make a run for it!"

Hundred Desperate Men Rush Walls
A few convicts started and in an instant there were a hundred of them running like madmen for the walls. I was on the ground, in the yard, and I stood there dazed by the thought of those men running toward those guards with their rifles gripped tightly.

Suddenly I saw a rifle raise. I shot in a flash came the report of a bullet fired—then another cracked across the big yard.

I turned and ran into a small reception room, out of range. I saw three convicts slump to the ground. That broke up the charge. Quickly the on-rushing mass of men stopped, turned in their tracks and fled for cover.

There was quiet for a few minutes and men about began to break out. For another hour and a half the prisoners milled about the yard.

"We'll eat anyway"—they had raided the commissary before rioting and stacked supplies of food in the yard—some yelled laughingly. Others said more grimly: "We aren't going back to the cells."

I stepped out of the reception room to the yard again. The guards were carrying off the wounded convicts.

There was a murmuring and I looked up. On the walls stood 20 hooded state policemen. They said nothing but in their hands they carried tear gas guns—and the convicts knew it—they knew, too, what the police intended to do.

Without a word the state troopers stuck the guns skyward and held them there. The rumble of shouting suddenly died down. In a moment guards, without firearms, were walking among the prisoners. They gave the usual signal to line up.

Sullenly but without resistance the convicts fell into ranks and marched slowly into their cell blocks. Some of them carried as much food as they could get in their arms. The guards let them take it in.

I noticed with a start that the (Turn to Page 3, Col. 7)

Slayer Baughn is Shot Fatally By Guard as Mob Rushes Wall; 700 Involved in Wild Disorder

Bloody Break Eleven Years Ago Recalled

Three Killed in Famous Kelley - Willos - Jones and Murray Affair

Tracy - Merrill Escape is Most Famous of All at Salem Prison

The riot at the state penitentiary yesterday afternoon recalled previous violent prison breaks that had occurred here. The last major break resulting in fatalities took place August 12, 1925, when Ellsworth Kelley, James Willos and Tom Murray gained their freedom from the state prison and two guards and one convict were killed and two other guards wounded.

J. M. Holman, guard; John Sweeney, guard; and Oregon Jones, convict, were killed in the break. Lute Savage, guard, was shot beneath the heart. James Nesmith turnkey, was badly beaten about the head.

The convicts made their break at about 6 o'clock that Wednesday night. The three who gained their liberty were all armed and desperate men. Kelley, Willos, Murray and Jones had been working in the prison yard with other inmates and were sent to their cells about 5 o'clock. When the other men went to supper, the quartet remained in the cell house and congregated in one cell.

Cutting their way through the top of the cell, they gained the roof and made their way to the yard in front, then two of them gained entrance to the prison arsenal, gained rifles after beating James Nesmith, turnkey, evading Warden A. M. Dalrymple, who finding his way to the arsenal blocked, rushed to his home for a weapon.

Convicts Arm and Fire Upon Guards
Obtaining rifles and revolvers, the four convicts opened fire upon Sweeney and Holman, guards on post 1, the first tower north of the entrance to the prison. A promiscuous shot struck Lute Savage, who was wounded below the heart, but later recovered. Holman and Sweeney were killed. Oregon Jones was shot by John Davidson, guard, as he left the foot of the tower.

Heading toward the state hospital, the three men commandeered a taxi driven by E. J. Zinn, and made their escape from the city.

Murray was caught at Centralia (Turn to Page 3, Col. 7)

Hamilton and Duprey Wounded; State Police With Tear Gas Guns Put Halt to Rioting in Yard

Sorahan, Salem Man, and Tilson Are Recognized Ringleaders; Warden and Guards Cool in Crisis

DISAPPOINTMENT - MADDENED, several hundred convicts struck in the state penitentiary recreation yard here early yesterday afternoon against a court order denying them "good time" privileges and engaged in a riot which left one inmate dead, one gravely wounded and another injured.

Bullets fired by tower guards at about 3:30 p. m. when the cursing, shouting mass of men started a rush for the high prison walls felled Thomas J. Baughn, 50, Deschutes county murderer; James G. Hamilton, 36, Douglas county slayer, and Joseph Duprey, 22, Multnomah county burglar.

Baughn, three times convicted of murder, died 15 minutes later in the prison hospital. Hamilton lay there last night, critically wounded in the chest, and Duprey remained in the hospital for treatment of a bullet hole in the hand.

Prison guards estimated 700 convicts had quit their industrial or recreational occupations and swarmed into the yard at "island" at about 1:30 p. m. "Beat it!" Frank Tilson, 41-year-old Lane county burglar, was reported to have shouted to the cooks as he and Lloyd Sorahan, 25, of Salem, invaded the commissary, off the prison yard, at about 1:30 p. m. Identified by guards as the riot ringleaders, Tilson and Sorahan soon were busy directing a band of between 75 and 100 prisoners in piling provisions in the yard.

Locks in Some of Cells Are Smashed
Prisoners armed with hammers and other implements smashed away the locks on several cells within reach from the yard area and released other inmates, who had been kept locked up for "correction."

Egged on by the leaders, who had grabbed regular or improvised megaphones, the sabotage gang, joined by several hundred others, began trampling the food, dumping canned and packaged goods into the creek which flows at the "island." While guards gripped rifles and watched every move in the yard below, the 700 men increased their shouting to a continuous roar.

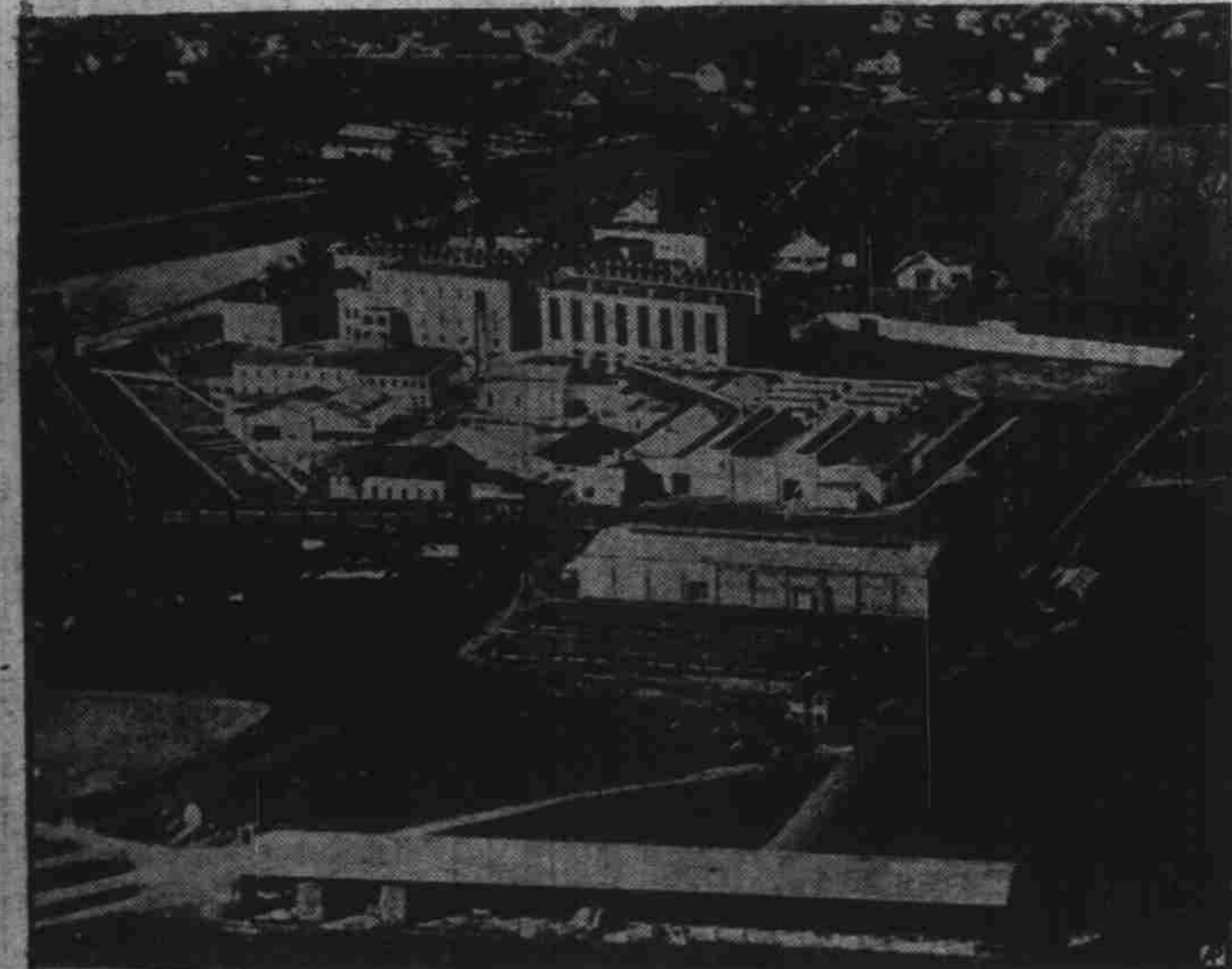
The melee grew more ominous as Tilson suddenly yelled at the prisoners near him to dash for the walls.

Guard H. H. Corey in tower six fired from a rifle, one shot, he said later, and Baughn fell wounded and writhing. A volley of shots from tower seven where Roy Bremer stood guard, followed. Both men said they hadn't aimed at nor intended to wound (Turn to Page 3, Col. 5)

Before the prison situation was considered as well under control, 28 state officers including Chief Charles P. Fray and his assistant, George Alexander, had arrived at the penitentiary.

The Multnomah county sheriff's office sent word that department would be glad to send deputies as reinforcements if needed. None was requested to (Turn to Page 3, Col. 8)

OREGON STATE PRISON FROM BACK SIDE



The "yard" where the milling crowd of convicts snarled and yelled defiance at the guards is the white spot this side of the furnace room, shown by the tall smokestack. Shots were fired from no. six tower at the lower left angle of the wall. Provisions from the commissary were strewn about the yard, against the north wall of the enclosure and around the buildings. The new cell block is the structure in the center with the tall windows. The commissary is in the basement of the center wing to the left of the new cell block.

Spanish Rightists Moving on Madrid

(By the Associated Press)
Spain's fascist rebels, moving on Madrid, declared Friday three of the four advancing columns were only 15 miles from the capital—within artillery range.

Bulletin

Screaming and his clothing in flames, Ross H. Wood, vice-president of the Salem Brewery association, ran from his home at 2094 Center street shortly after 1 o'clock this morning. He apparently had fallen asleep in an easy chair in the living room and a cigarette or cigar had set the chair on fire, police said.

At Salem general hospital at 2:40 this morning Wood's condition was reported as "fair." He suffered severe burns about the hands and shoulders.

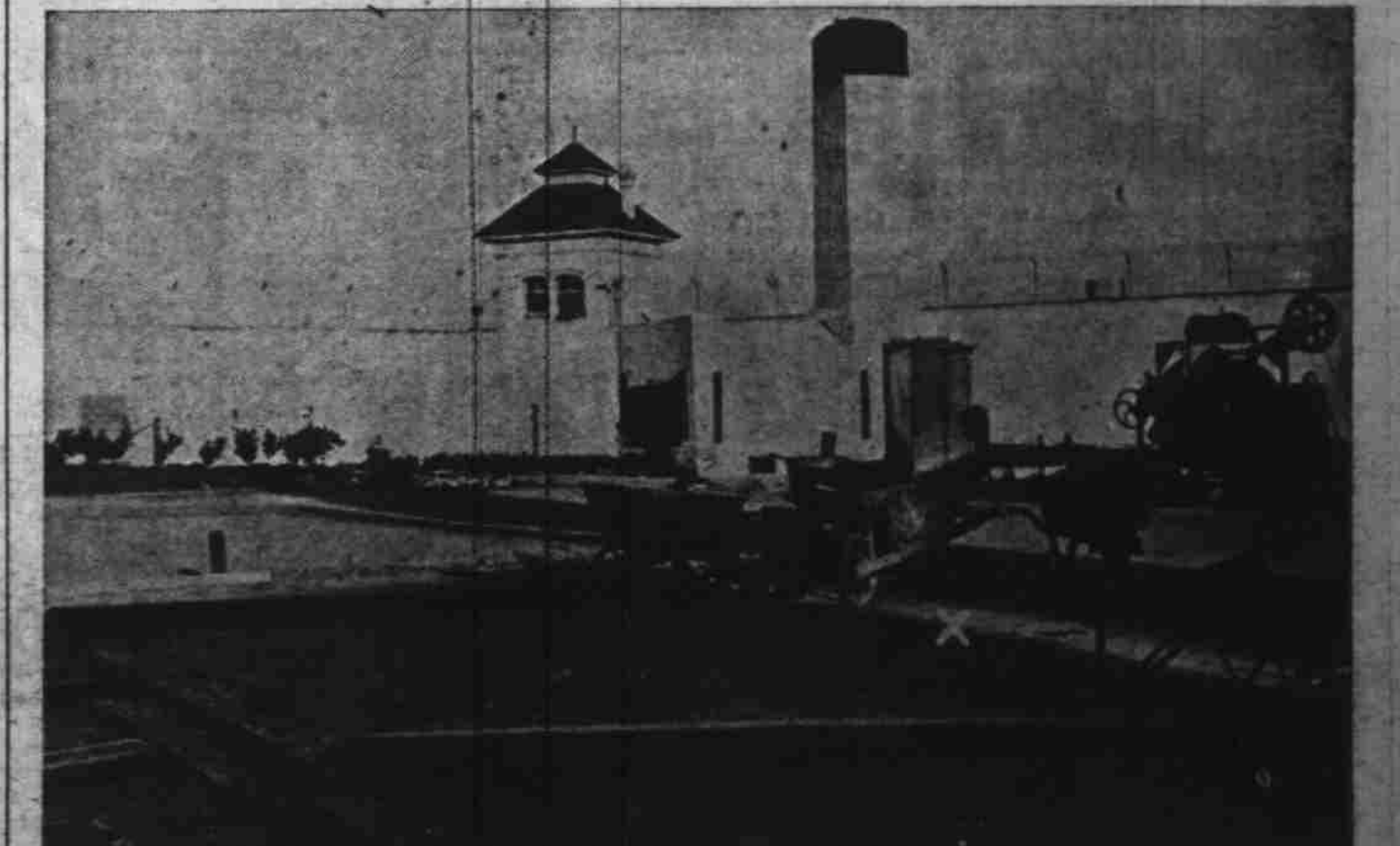
Brewery Manager Frank Schmidt believed Wood's condition was grave.

A neighbor, believed to be Clinton Cook, heard Wood's agonized screams and rushed him to the nearby hospital.

Firemen said the Wood living room was badly damaged by flames, one chair, the drapes and woodwork partially destroyed by the fire, which they put out before it reached other parts of the house.

Mrs. Wood was in Polk county visiting relatives living near Rickreall. . . .

YARD WHERE BULLETS ENDED RIOT



marks approximate spot where bodies of dead and wounded lay in yard at Oregon state prison. Guard Corey fired from position on wall to left of no. six tower in center of picture. The wheelbarrows, used on concrete job in progress to the left, had been used by rioters to wheel provisions from commissary. Prison incinerator is shown with chimney. Photo by Statesman staff photographer.