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Undated postcard from O.S.L. Collection

PRESIDENT'S MESSAGE..... Elizabeth Tice

A Door Opens

Having written often over the last two years about the struggle to keep the Reference Room open at the Oregon State Library, I'd like to say a few words about how life does give us the best solution sometimes, in spite of what we think at the time.

I still feel our Oregon legislators are wrong to close the Reference Room and force the State Library to give away their wonderful and unique collection of genealogical materials that were collected over the last 75 years. We did our best to change this decision, but as *The Statesman Journal* said, our society "was cast aside".

And then another door opened at the Salem Public Library. We were very lucky that the City of Salem and Salem Public Library saw the value in having a genealogy department for the public to use. Our society is now re-inventing ourselves again. It was a big decision in 1987 for WVGS to move to OSL and now we are going to change again. We are basically setting up a genealogy department in the public library. Most everything about the way WVGS has operated will be different. A major project for 2016 will be to revise our constitution and bylaws.

At this time, we are still waiting for our catalog to be uploaded to the online catalog. Meanwhile, we have our own list of books, CDs, microfilm and microfiche at Salem Public Library. The list, by subject, is available for patrons to look at (our books are totally out of logical order as they are in Dewey Decimal order). Our volunteers are cheerfully helping the public make discoveries about their families. We have a new website. We were able to keep family histories and periodicals by renting office space. We will continue to add books. There are many books to be repaired though. In later newsletters, I will highlight some of the unique books that we retained. We are much more accessible at a public library.

It was Alexander Graham Bell who said "When one door closes, another opens". We have an unexpected future to look forward too. I hope all of our members are looking forward to our future also and will work with us.

The 1925 Jailbreak

(On 12 August 1925, four inmates at O.S.P. made a desperate break for freedom; it was headline news in the *Capital Journal* [13 August, p. 1] and *Oregon Statesman* [12 August, p.1]. A Portland writer, Charles Oluf Olsen, asked Warden Arthur M. Dalrymple for a first-person account of the incident and the following is his narrative of what transpired early that evening.



Dalrymple had taken over his duties as warden on 5 October 1923 “just three weeks after the most destructive fire in the prison’s history had destroyed all the shops and machinery inside the walls and left me with 500 men with nothing to do and winter coming up. It was a tough problem.”

Here his excerpted account begins:)

Soon after I took charge as warden, I started the prisoners to tearing down the old walls and cleaning the bricks. They worked at this when the weather permitted. I built a recreation room 30x50 in the center of the prison yard where the inmates might go on stormy days. I believed this was much better than keeping them locked all day in their cells. One, two, or three guards were at all times in this recreation room when the prisoners were there. I put in a large heating stove at each end of the room. There were benches and long tables with books, newspapers and magazines. (Later, some ambitious newspaper reporter gave this the title of “dog-

house,” and many fantastic tales came from distorted and sordid imaginations.)

The deputy warden was J. W. Lillie when I took charge. He had been an applicant for appointment as warden, which I had not. It came to me as a surprise, unsolicited. Things ran along fine during the winter. Then about 8:30 one morning in March, six men broke into the basement smashing a lock on one of the doors, and making their way through a store room, sawed a bar in one of the front windows overlooking the lawn and all went out into the front yard and up the steps through tower no. 7 and made their escape. They ran to the highway about two hundred yards away and stopped the first automobile that came along and all made their getaway. In this bunch was Tom Murray, Oregon Jones and Ellsworth Kelley. I had them all back in their cells before the end of the week with the exception of Oregon Jones who made a clean getaway. Jones traveled all over the country. He married a woman in Cleveland, Ohio, and a letter from the wife, a picture of herself and baby was received at the prison the day after Jones’ death. Jones was arrested in Sacramento, Cal., in the spring of 1925 and I sent Deputy Warden Lillie to bring him back. When Jones was returned, I ordered the deputy warden to put him to work in the machine shop where he would be under the watchful eyes of Guard Dave Lavender, in charge. We all knew Jones and Murray must be watched, and I wanted them to be at work where they would be under a guard’s eye at all times. After the break, upon investigating the next morning, I learned that Jones had been

taken out of the shop two weeks before and allowed to run with the “roust-about” gang that had no regular tasks, but did odd jobs around the prison yard when they were not idle. I asked Lillie why he had taken Jones out of the shop and he told me “the engineer (John Quinland) didn’t want him in there.” My orders had been to put Jones to work in the machine shop, and no one had a right to countermand the order but myself. There would have been no break without Jones. Had Jones been kept at work in the shop where I had given orders he should be, he could not have taken part in any plot to escape.

Again: Soon after taking charge of the prison I concluded that it would be an easy matter for the convicts to break into the arsenal room from the inside, arm themselves and get away. To prevent this, I gave orders to the deputy warden to place extra guard in the turnkey’s office every night during the supper hour, (from the time the prisoners were released from their cells to go to the dining room until they were returned and were locked in,) and John Davidson, one of the most reliable of men, was selected for this duty. My orders were that he should remain in this room, armed, as an extra precaution every night during the prisoners’ supper hour. John Davidson was at his post of duty when Jones and Murray rushed in upon him—but he was unarmed. His trusty “45” was locked in the arsenal. A couple of hours later I asked Davidson why he did not shoot Jones and Murray when they rushed in upon him and he told me he did not have his gun on him. He told me that he had been given orders a month before to leave his gun locked up. This was the first that I knew about this, so the next morning after the break when Mr. Lillie returned hurriedly from the coast where he had gone on the second lap of his vacation the Friday before, I asked: “How does it happen that John Davidson was unarmed last night?” Lillie’s answer was: “I supposed he was armed.” These prisoners in the break knew that John Davidson was not carrying his “45” or they never would have taken any such a chance. Had he been armed, as I supposed he was, according to my orders, he could have dropped both men as soon as they entered the room. It is true, the turnkey’s revolver was in a drawer within three feet of Davidson’s chair, and he might have used this had he known it was there. But no one had told him.

Now to the real story: I always made a practice of staying in my office until the “line” was in and the bell tapped signifying that the count was all right. Then I went to my home outside the yard and across the road some 100 yards from the prison. On this particular night I left for supper as usual. Before reaching the house I thought of a letter that I had neglected to write to a man named Jones whom I wished to notify to come on next day to work as a guard. I turned and went back to the clerk’s office where the typewriter was. I wanted to get the letter written and in the postoffice so Jones would get it the first thing in the morning, as we were short of help and I needed him, several of the guards being on their vacation. I sat down and had written three or four lines when I heard an excited voice outside almost under my window. I stood up and looked out and there stood a prisoner flourishing a dagger in the face of Robert Crawford, superintendent of the flax mill. My first thought was that some trusty had suddenly lost his mind, as the count had been made and found ok. Mr. Crawford was slowly backing away, and as the prisoner turned, I got a look at his face and saw Tom Murray. He dashed around the northwest corner of the building toward the turnkey’s office and arsenal. I turned and ran through the parole officer’s office to head him off. Between

the parole officer's office and the turnkey's office there was a hall about 30 or 40 feet long running the full length from north to south and about six feet wide. There is a door at the north and south end of this hall from the outside, and one near the south end opening from the parole officer's office. It was through this door that I came, just as Jones and Murray came in at the north door. The door entering from this hall to the arsenal room is at the north end, so the two prisoners were within a step of the entrance when I was some 30 feet away. One of them, I think it was Jones, who was a step behind Murray, shouted "get the warden." I knew well the tactics used by escaping prisoners, and I didn't intend to be "got" if I could help it. I thought if they followed me into the yard the guards on the posts overlooking each side of the administration building – north and south – would have an opportunity to shoot them. Besides, I had no idea how many more might be loose. Again, if they went into the arsenal room, there sat John Davidson with his deadly, sure "45". They wouldn't have a chance that way. Their best bet was to "get the warden."

I turned and ran back into the room from whence I had come, and out the north door to the gate leading out of the west entrance. I ran to my home and up stairs to my room where I kept a double barreled shot gun. The shells were in a dresser drawer in another room. Then I ran down stairs and told my wife to notify the police and sheriff's office. I went out the back door to get to the garage, as I saw the group of fugitives just entering guard tower No. 1, and I supposed they would jump down from the wall there and come across to the garage, 80 or 100 yards away to get a car. This seemed a reasonable supposition. Firing had been going on ever since I entered my home. Now I met Lute Savage, an old time guard who had been eating his supper and ran toward his post at the first alarm, a large spot of blood on his side and he told me: "Well, Warden, they got me this time."

The convicts, four of them, were now making for the post No. 1 which had an outside stairway leading up from the ground. It was just the time for my boy to come up from town where he was employed and he always drove his car up and stopped in front of the garage which was directly opposite and across the road from post No. 1. I knew if he drove up there at that moment the fugitives would attempt to shoot or capture him; so I ran back into the house and warn him to stop. Then I ran back to the garage and went around behind it to the north side where I would have a clear view of the escaping prisoners. They had gone up the steps and through the tower and jumped from the walk that ran around the wall, to the ground, a distance of some ten or twelve feet. As I stepped around the corner of the garage they were in a huddle at the foot of the wall as if in consultation. I supposed they would come across the road, to get a car from the garage, as this seemed the most logical thing for them to do, under the circumstances. (Kelley later testified in court that this was their intention until they saw me with a gun step around the corner of the garage.)

At first sight of me, one of them whom I took to be Kelley, leveled a gun in my direction and I dropped behind a couple of steel oil tanks which lay on a low platform against the north side of the garage. A shower of buckshot spattered the side of the brick wall immediately over my head and five revolver bullets left their marks in the heads of the steel tanks in front of me. They were about 80 yards away and I thought best to hold my fire until they came across the road which I felt sure they would do. After waiting a few seconds to see what was

going to happen next, I raised my head and saw two of them Kelley and Willos, running down along the wall to the north 100 or more yards away. I fired two shots, but did no harm to either. Then Murray started on the run after the other two and I fired one shot at him. Three of the buckshot hit him, it was found, upon his return, but the distance was too great and he was little injured.

As before stated, John Davidson was on guard in the arsenal room. Instead of following me, Jones and Murray rushed into the turnkey's office and brandishing his knife, Murray shouted to Davidson: "Hands up or I'll cut your guts out!" Davidson didn't have a chance. He was a tried and trusted guard, though 70 years of age. Jones attacked Jim Nesmith, the relief turnkey on duty at the time, also a man around 70 years, hitting him with a heavy iron cuspidor and knocking him insensible. Murray knocked Davidson down and while bending over him with his knife, Davidson, lying on his back, got both feet under Murray's body and threw him against the wall on the opposite side of the room. Davidson then sprang to his feet as two other guards came in, neither one rendering any assistance, both leaving in haste. Davidson, always game, ran down the walk to post No. 1 where there were plenty of firearms, and where Milt Holman was on duty for the first time, he having been sent there to relieve Guard Lute Savage, known as "Old Reliable" for supper. By the time Davidson reached the foot of the stairs leading up to the tower, Jones and Murray had broken the small locks on arsenal and began firing at Davidson and also Holman with the regulation 30-30s. Holman was shot through the arm and leg when one of the other guards by the name of Gardner who, with Savage and John Sweeney had ran from their supper to reach this post, entered from the outside and finding Holman badly wounded helped him down through a trap door in the floor of the tower and laid him on the ground near the wall. John Davidson entered the tower a few seconds after, with bullets crashing all around him, but he was unhit. He grabbed a rifle and went down through the trap door in the floor and emerged into the open air at the corner of the tower where he could overlook the yard on the north, not

knowing what to expect next. Just then, John Sweeney, regular guard on post No. 2 entered No. 1 as Jones and Murray rushed out into the yard and handed arms to Kelley and Willos. Sweeney stood boldly with rifle in hand and was shot dead by Murray. (I was afterward told by a prisoner who witnessed this part of the battle, that he saw Sweeney raise his gun three or four times and take aim and then lower it again. The next Friday, at target practice one of the rifles was found to have some small piece of mechanism missing or broken, governing the action of the firing pin, making the weapon useless. There was good reason to believe this was the gun in Sweeney's possession at the time.)



After the guard fell, the quartette made a rush

for the stairway leading up to the tower. As they ran up the steps, John Davidson stepped out and fired between the iron bars, or pickets which surrounds the front yard, and shot Jones in the hip. He fired another shot but the bullet struck one of the bars, only a few inches from the muzzle of his gun and the particles of lead and paint flew back in his eyes, blinding him for a time. The convicts then entered the tower, stepping over the body of John Sweeney, as good and brave a man as ever lived. Davidson then ran to a small piece of brick work a few rods distant, and as the three fugitives ran down along the wall after jumping to the ground, he fired several shots at them which struck the brick wall directly in line but failed to find the target at which they were aimed. Afterward, I asked him how he happened to miss them and he said he had been blinded by the shot that struck the iron bar and could not see clearly.

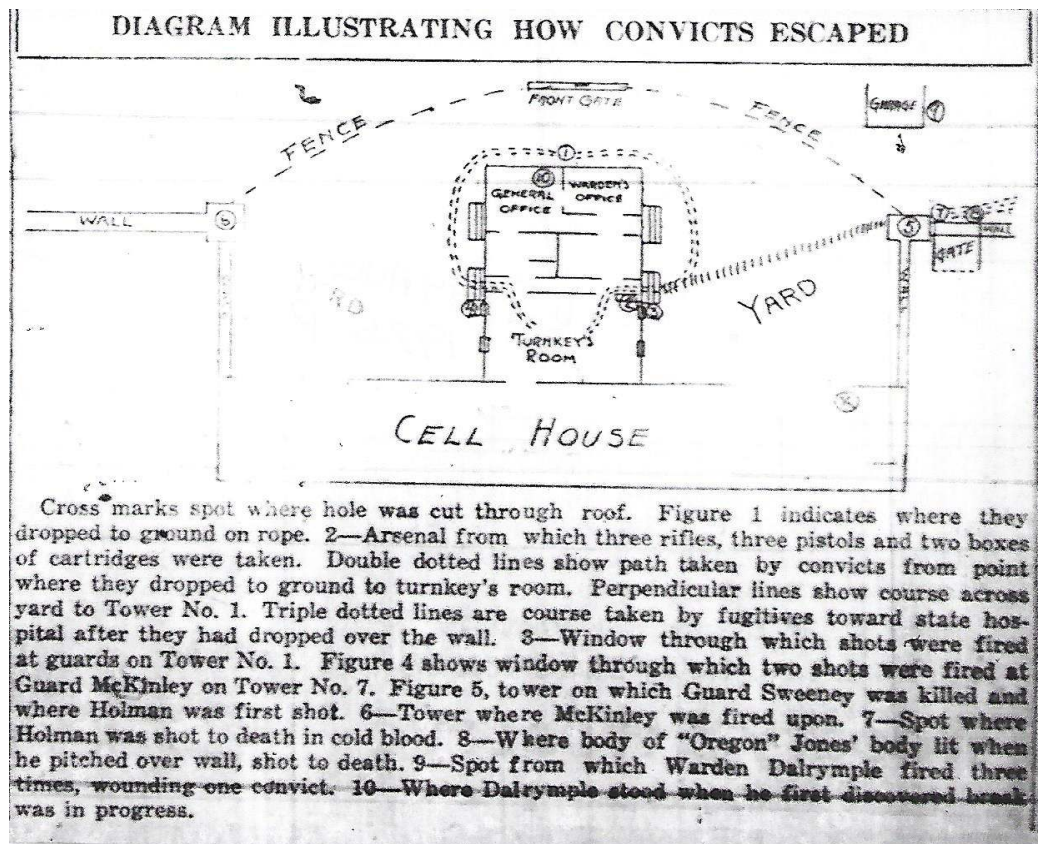
The convicts, jumping down from the wall landed within a few feet of Guard Holman who had been helped down the inside stairway by Gardner as before stated. He was murdered by Kelley while lying helpless on the ground. (One reason I did not open fire upon the group when I first saw them in a huddle from my position at the corner of the garage some 80 or 100 yards distance was the fact that I could see one of the guards on the ground with his back against the wall. I could not tell who it was but believed if I fired a shot it would jeopardize his life, so decided to wait until they came across the road where I could pick them off one at a time. But they killed Holman and fled in another direction.)

After the three had fled I went across the road where I could see two men lying. Holman was dead and the notorious Oregon Jones was taking his last halting breaths. Davidson joined me a few seconds later. Jones' rifle, taken from the arsenal lay by his side. Blood was oozing from a wound in his head. A pistol, also taken from the arsenal was found under his body. He had shot himself through the head. A little diary found on the ground beside him contained a few hastily scribbled lines in indellible pencil: "I am shot. I can't go on. Oh, how I hurt. I want my folks to have money. I die game."

Then the hunt was on. You have described the hunt, Mr. Olsen, and all the balance is a matter of record. I have told you the exact facts as regards the "break" but there are some very suspicious matters leading up to it that I have not touched. The newspapers had their way. Editors and reporters who never had been inside this or any other prison knew all about it. I resigned by request of the governor and the *Portland Journal* on the 5th of the following December. The four convicts all met death. Jones badly wounded, shot himself. Tom Murray hanged himself in his cell while under death sentence while his case was on appeal, several months after I left the institution. It was said at the time that he left a mysterious note which never was made public. I know nothing about this only from hear-say and press reports, both often unreliable. Kelley and Willos were duly hanged.

Murray was the most likeable one of the bunch, though Jones was a sort of a happy-go-lucky fellow that one would have liked in any other place but a prison. He had been buffeted about the country in his early boyhood and never had much of a chance. He had reached a stage where he thought being tough was the pinnacle of fame. It was the only fame he desired. Murray came from a good hardworking family, honest and square. I met his fine old father and mother who came to the prison to see him, and one of the hardest things I had

to endure was to meet them and try to cheer them in their sorrow, which I always did so long as I remained. Tom Murray had many good qualities inherent in his very nature; but he had got a wrong start, somehow, and was not able to turn back. I often talked with him and tried to reason with him for the sake of his old father and mother. But he only smiled, and made no apology or promise. If he had fallen with good companions instead of bad ones, Tom Murray would have been a MAN.



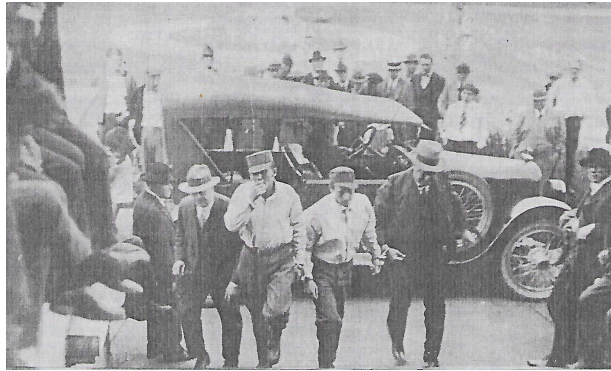
AFTERMATH

According to the *Statesman* article in August 12th's issue, escapees Murray, Kelley and Willos fled north to the State Hospital, commandeered a car and driver, then headed for Polk County. Posses spread out from Salem for all points west until the taxi driver was released and informed the authorities that the three convicts had instead headed east, whereupon all forces redirected the search to Waldo Hills, Pratum, Silverton and points in eastern Marion County.

The actual route taken by the trio of escapees was only revealed August 18 when they were apprehended in Portland and gave a statement on their version of the jailbreak and after. Once they'd released their driver from O.S.H., they disappeared into the brush along Pudding River near Pratum. From there they traveled on foot to Monitor where they stole Lawrence Jacob's car at gunpoint, along with his 3 companions in the car – Leo Wilde, Joe Lichte and Otto Lucht. They then drove to New Era in Clackamas County and took over the summer home of C. L. Newman. Murray had been injured in the escape attempt and needed to rest

and while the trio occupied Newman's home, he questioned them closely on the incident. Their version of the jailbreak was recorded by Newman, then signed and fingerprinted by the escapees; it was reprinted in the *Capital Journal* of 18 August 1925 (1:3 & 4:2).

Following their occupation of Newman's home, the convicts split up and headed north. On the 22nd all three were caught in Washington: Tom Murray in a hotel room in Centralia; Willos and Kelley near Goldendale. (O.S. 22 August 1925, 1:1 Special Evening Edition)



Willos & Kelley captured and returned to O.S.P.

All three were returned to the prison and life returned to normal.

As a footnote to the event, Warden Dalrymple annexed his letter of praise and respect for Newman and his companions during their "trying experience" of captivity.

I always praised the Newman family for the way in which conducted themselves all through the trying experience. No one could have done better, or acted more wisely. They always have had my utmost respect and deepest sympathy in those long, uncertain hours with these killers as their unwelcome guests.

Dalrymple

Governor West's Capital Punishment Moratorium

Oregon's governor from 1911 – 1914, Oswald West, one of our youngest governors at 37, came into office with the preconceived notion that hangings were “useless” as a crime deterrent. As the execution date for Oregon's first (and only) quintuple hanging neared, West believed his views might prevail with the citizenry. The issue of capital punishment was referred to the people in November 1912's election.

Rejected by 20,000 votes (*O.S.* 14 December 1912, 3:2), the measure was shelved and Governor West reaffirmed December 13, 1912, as the execution date for the five convicts. A rumor that the governor would absent himself from the hanging to go hunting circulated but was squelched in December 12th's *Oregon Statesman* when West stated, “... I intend to be here in order that my services may be available should certain prominent individuals who are clamoring for the lives of these men, desire to have me take them on a personally-conducted tour of the penitentiary on this date to view this gruesome spectacle.” (2:4)

At the last minute, West granted one of the doomed men a reprieve by commuting his sentence to life imprisonment. (John M. Taylor received his stay of execution December 12th.) The other four were not so lucky.

With nearly a hundred fifty spectators (all the gallery could hold), the hangings commenced at 11:30 am that Friday the 13th. As there were only 2 execution platforms, the men had to be hung by two's.

The *Statesman* reporter recounted the details of the quadruple execution:

LETTER OF LAW COMPLIED WITH
FOUR CONVICTED MEN GO TO DOOM WITH HEADS ERECT,
STEPS UNFALTERING.
EXECUTION GOES OFF WITHOUT HITCH– ALL DEAD WITHIN HOUR OF STARTING.

Garrison Protests Innocence to the End–Last Words Cut off by Dropping of Trap–Small
Audience Is Present– Priest Accompanies Mike Morgan to Scaffold.

Facts Concerning The Execution. . .

The principals – Frank Garrison, Noble Faulder, Mike Morgan and H. E. Roberts.

The men were hanged in twos. Garrison and Faulder first; then, Morgan and Roberts.

The first two traps were sprung at 11:39 ½; Faulder was declared dead at 11:54 and Garrison at 11:56.

The last two traps were sprung at 12:20. At 12:45 Roberts was pronounced dead and Morgan at 12:47.

When asked just after the executions yesterday if it was considered a successful execution, Superintendent B. K. Lawson ironically answered: “Well, I suppose that's what you would call it.” Thus is characterized the greatest legal murder in the History of Oregon,

and the only one during the tenure of office of the present chief executive.

Seemingly without the slightest fear of death, the four condemned men walked to the scaffold, accompanied by guards and prison officials. Not more than fifty spectators were in the death chamber when Frank Garrison and Noble Faulder entered at 11:32. With that feeling of respect in the presence of death that is common to every human being, every head was uncovered at the approach of the procession in which walked the doomed men.

March Into Chamber.

Through the long dining hall with its tables, on which in orderly array were rows of tin cups arranged for the noonday meal, into the cold, brick-walled, dimly-lighted execution chamber, the party wended its way, the men who were soon to be hurled into eternity walking with firm step and calm demeanor. Up the stairway leading to the scaffold the group marched, the condemned taking the places allotted to them on the traps in the floor.

Above each door was a strong rope fastened to a hook in the ceiling and looped up to be out of the way. The noose that in a few minutes was to tighten around each neck dangled ominously from the ceiling. Below the platform two pine boxes awaited their gruesome contents. From the floor a hundred eyes were turned upward to where two men were standing on the traps. An electric bulb behind and above the two shed an uncanny light on the scene.

Doomed Ones Talk.

Garrison was the first to speak to the group waiting below. Walking to the railing on the edge of the platform, he shouted: "I want to say, here on the brink of eternity, that I am innocent of the crime for which I am now to die. I was convicted by perjured testimony;" here he gave the names of those whom he alleged perjured themselves. His voice grew husky and he choked for a moment; then, recovering himself, he continued, drawing a folded paper from his clothes: "Gentlemen, I have here a statement that I would like given to the press." Garrison stepped back on the trap and Faulder advanced to the railing. In a firm, clear voice he said: "Hanging will not cure crime. I am not afraid to die. But gentlemen, you should get at the root of evil." Then he resumed his position on the trap.

Immediately the straps were fastened around the bodies of the two men and the black hood placed over their heads. The nooses were placed around the necks, with the huge knots behind the left ear of each man. As the noose was drawn taut on Garrison's neck, he exclaimed: "Don't don't pull so tight; it —." The rest of the sentence went with him into the beyond as the traps gave way and the man's body plunged down with a horrible crunch.

The Bodies Swing.

Slowly twisting as the kinks of the ropes unwound, with their heads hanging limp to one side and partly down on their breasts, the bodies swung to and fro. A number of men left the room as if unable to endure the sight of bodies that a few minutes before had been living men. In the front row of the spectators stood twelve men, the number required by law to witness an execution. Most of the faces were drawn— all of them were grave. With here and there a trace of emotion showing.

Two prison officials stood with watches in their hands, and with a notebook in which they recorded the exact time of entering the death chamber, the length of time each

condemned man talked, the time the trap was sprung, and the time each was pronounced dead.

A moment the bodies hung dangling, then Doctors Prince Byrd, the prison physician; J. O. Van Winkle and C. W. Keene of Silverton stepped up and began their examinations to ascertain if the spark of life had fled. First they felt the pulses, then they examined the hearts with their stethoscopes, pausing now and then to impose silence on the audience, which was whispering. Each body was examined by three physicians. At 11:54 it was announced that Faulder was dead. Two minutes later Garrison's life had become extinct.

Tension Relaxes.

The tension seemed to relax after it was officially announced that the prisoners were dead. Immediately the ropes were untied from the hooks in the ceiling and the limp figures eased gently down and laid out on wooden benches. The cold hands were crossed on the breasts of the dead men and their clothes smoothed out. Then they were picked up and placed in the cheap wooden boxes that are to be their caskets unless relatives claim the remains. As they lay in the coffins, the black caps, still drawn down over their heads, gave them a ghastly appearance. Guards picked up the coffins and carried them from the room.

At this point orders came to clear the chamber of all but the examining physicians and those in immediate charge of the executions. The newspaper men and police officers were allowed to wait at the cage in the corridor; the others were banished to the outside of the prison.

At 12:16 those permitted to witness the second execution were again admitted to the chamber of death. Once more the stout ropes with their cruel nooses were looped up out of the way. Other pine boxes were waiting under the scaffold. All was in readiness. The second jury was called to the front of the crowd and rather unwillingly, it seemed, took their places.

Another Procession.

The footfalls of a company of men were heard approaching, and at exactly 12:26:04 the second death party entered the chamber. In the lead, walking by the side of one of the condemned men, was a surpliced priest, Father A. A. Moore of St. Joseph's church of this city. He was chanting the litany for the dying, which he continued as the party ascended the stairway leading to the platform.

Both condemned men were composed though the face of each was as white as a sheet. While coming through the corridor Roberts turned to some guards and said, "So long fellows," smiling the while. The men continued to maintain their self possession while they ascended the scaffold and took their places on the traps. Father Moore gave Morgan the last absolution as the latter stood on the trap.

The prayers of the priest ceased as he stepped to the railing and, speaking in behalf of Mike Morgan, who had embraced the Roman Catholic faith, gave the man's last message to the world of which he would soon cease to be a part.

The following words were the only ones spoken by Rev. A. A. Moore on the scaffold, outside of the words of prayer and absolution. Misquoted in some of the evening papers published yesterday, Father Moore desires to have it stated that any statements attributed to

him other than the following are the product of the fertile brain of some reporter.

Father Moore Speaks.

“Morgan wants me to say for him that he killed York in self defense,” said Father Moore. “He also wishes me to say that he is innocent of the second crime, that of killing his grandfather, of which charge he was acquitted.” With these words the priest dropped to his knees and began praying.

Roberts then stepped forward and made the longest speech of anyone, lasting two minutes. Though his nerve had been doubted, hardly a sign of nervousness could be detected in his bearing or a quiver in his voice.

“I didn’t mean to kill the men,” he said. “Part of my crime was intentional, but most of it was unintentional. When the officers said that I fired three shots they lied. I admit I fired two, but not three. Ever since I left prison I have been hounded by officers. They followed me everywhere. I knew if I were 4000 miles away that I would still be in fear of them. I had to do something. But I forgive all who wronged me. I bear no ill will to any of them and I hope they forgive me.” Here his words became rambling and could not be understood.

Straps are Buckled.

Quickly the straps were buckled, the hoods adjusted and the nooses slipped over the heads, and once more the traps fell and two more men had paid the penalty society demands of men who are convicted. Again the doctors went through the routine of feeling the pulses and seeking over the hearts for a flutter to indicate that the spark of life still remained.

As doctors paused over Roberts’ body, each making an examination and then nodding to the others. At the third nod came the statement “Roberts is dead.” At 12:47 Morgan was pronounced dead. He had hung suspended seventeen minutes and Roberts fifteen. Garrison had hung by the neck sixteen and a half minutes and Faulder fourteen and a half.

The jury witnessing the first double execution was composed of the following: L. H. Freame, Monmouth; George M. Sullivan, Portland; G. E. Shraye, Tualatin; George Ellis, Rainier; S. A. D. Meeks, N. Plains; Joseph E. Harris, Salem; S. Douglas, Portland; W. E. Driscoll, Portland; George E. Lewis, Portland; G. O. Savage, Salem; Harry Talbot, Salem; Rev. J. Richard Olson, Portland.

The second jury was composed of: Alfred Malo, Gervais; L. A. Smith, Salem; O. Myers, Salem; S. L. Rathburn, Portland; C. E. Killingsmith, Portland; W. B. Brown, Gervais; A. J. Helfrach, Portland; J. Bingham, Gervais; T. J. Craig, Portland; C. Carlson, Shedds; C. J. Mechlet, Portland; W. L. Skipton, Salem.

The bodies of the dead men, with one exception, will be buried in the potters’ field unless claimed by relatives. The exception is the body of Mike Morgan, which was claimed by Rev. A. A. Moore.

The Last Night.

The last night on earth of the condemned men was spent quietly. All of them slept well and rose on the last morning ready for what the day might bring forth. Early in the morning Rev. A. A. Moore arrived and administered holy communion to Morgan, and joined him in prayer. While a prayer breakfast was served, which was cold by the time the prisoner was ready to eat. Guard Fisher kindly brought in a warm breakfast for Morgan. Morgan gave

certain souvenirs to Father Moore which will be sent today to the unfortunate man's mother at Mount Carmel, Ill.

The substance of the crimes for which the men hanged yesterday were convicted is given in the following brief resume:

The four men executed had been held for periods varying from four to thirteen months, as a result of reprieves granted by Governor Oswald West, to enable the electorate of the state to decide whether it desired the abolishment of capital punishment, or whether it believed that the extreme punishment should continue to be the penalty for first degree murder in this state.

Thinks Hanging Useless.

Shortly after the legal hanging of two murderers in the fall of 1911, Governor West issued a formal statement to the effect that because of his personal convictions that the hanging of murderers was useless, not another execution would take place in Oregon while he occupied the executive chair.

This pronouncement led to criticism that the power of pardon, conferred only for use in extremes to prevent miscarriage of justice, was being abused and that the governor was subverting the authority conferred on him.

Almost at once the governor declared that instead of commuting to life imprisonment the sentence of condemned murderers, to abolish capital punishment with life imprisonment as he had intended, he would appeal to the people and, pending the decision of the electorate would reprieve to December 12, such men as might be sentenced to be hanged.

Put It to Voters.

Governor West, firm in his purpose, prepared and caused to be placed upon the ballot at the November election an initiative act abolishing capital punishment and substituting life imprisonment for the crime of murder. The electorate, by over 20,000 majority, rejected the proposed change, and Governor West, as he had pledged he would when his announcement of intention to reprieve murderers was made, at once ordered the executions for the date specified in the reprieves.

The act for which Noble Faulder was hanged was the slaying of Louis Gebhardt August 6, 1911. Several days before the killing Faulder, a laborer, threatened to shoot anyone who poisoned his dog. Of this Faulder accused Gebhardt, a camp cook, on the day of the shooting.

The crime for which Mike Morgan met the death penalty was the murder of John Yorke, a rancher, July 12, 1911, near Yorke's ranch. Under the name Hallie Wilkes, Morgan, who had deserted from Company H, Fifteenth Infantry, U.S.A., at Fort Douglas, Utah, had been given employment by Yorke. While his employer was asleep Morgan beat him to death with a club, later throwing the body into Rogue river, after weighting it down with a log chain. Morgan was captured a few days later at Glendale where he had spent the small sum of money secured by the sale of Yorke's team of horses. Afterwards Morgan confessed. His relatives reside at Mount Carmel, Ill., and Lowell, Ill.

Killed Eastside.

The deed for which Frank Garrison was executed was the killing at Eastside, near

Marshfield, September 1, 1912, of Roy Perkins. He was twice convicted of murder. Garrison shortly after his arrest was alleged by the authorities to have made a confession that he had killed Perkins and threw his body into Coos bay. This confession, although later repudiated, was used as evidence in the first trial. On appeal to the supreme court the case was remanded for new trial on the ground that the confession was extorted, and he was again tried and convicted.

The crime for which H. E. Roberts, alias Jack Roberts, was hanged was the killing of Don M. Stewart, who with George Hastings was shot to death while automobiling near Portland, March 29 last. The young men, neither of whom had reached his majority, were members of a party of five who were ordered to halt by a highwayman. The driver of the car instead of complying with the demand increased his speed. As the machine sped past the would-be robber fired four shots from an automatic shotgun. Stewart and Hastings were almost instantly killed and two other members of the party were slightly injured. Roberts was convicted and sentenced in August last. Roberts was an ex-convict.

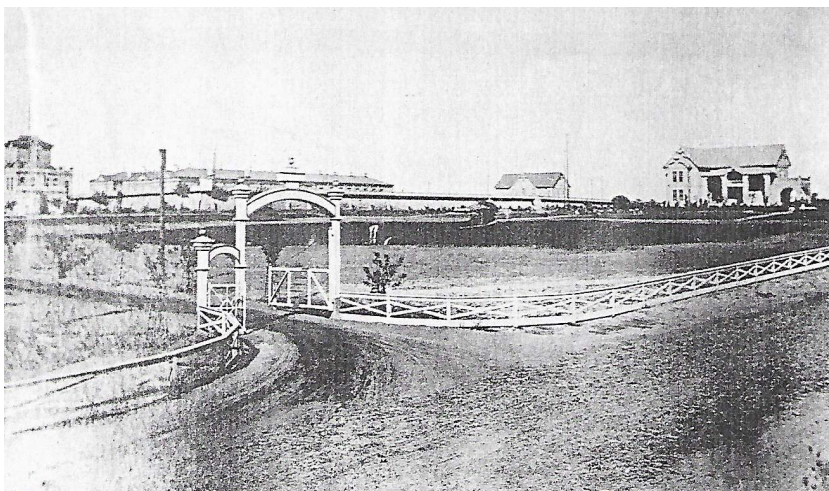
Daily Oregon Statesman 14 December 1912, 1:1

Multiple hangings continued; just three months later, 2 brothers from Benton County – Geo. & Charles Humphreys – expired by noose for the murder of Eliza Griffith near Philomath. Seven months later 2 more murderers were hanged: Mike Spanos & Frank Seymour for the killing of a Medford resident. That occurred October 31st, 1913, and scarcely 2 weeks later another hanging, that of Oswald Hansel of Clatsop County – brought the total of executions to 9 during West's term in office.

At the November 1914 elections, a new governor was elected – James Withycombe – and the people of Oregon finally saw the “uselessness” of West's bias and voted for a moratorium on executions.

The law was in effect until 1920 when once more the people voted to reinstate the death penalty after the murder of Sheriff Til Taylor of Pendleton by Emmett Bancroft so inflamed the citizenry that they demanded a resumption of executions. Bancroft, alias Niel Hart, was hanged November 5th. (*O.S.* 6 November 1920, 8:4)

Since then, the question of abolishing death sentences has surfaced periodically, but each time has been voted down by the citizenry.



An early view of the prison (1880s?) from O.S.L. Collection

SOME EARLY SALEM LAWYERS

On July 2, 1881 (coincidentally, the same day that word reached Oregon that President Garfield had been shot), nine gentlemen gathered for a portrait of Salem's Fire Directors (for full picture see BB Vol. 42, #1, p. 10). Three of these men were prominent lawyers in town, each with a unique background and career trajectory.

Our first bio (only because he is seated front and center) concerns Tilmon Ford – usually called Til, though when admitted to the bar, a reporter referred to him as “Tim”. (D.O.S. 6 September 1872, 3:V)



His birthplace is in some doubt as it was sometimes listed Missouri (1850, 1860 & '70) and sometimes Oregon (1905 census). That's understandable as he was born 25 May 1843 to John Fulton Ford and Bedel Ann Kaiser, pioneers of 1843. Actually, he was born on the Trail; his parents simply listed his birthplace as MO since there were no state boundary signs on the Oregon Trail. At any rate, Ford was a babe in arms on arrival here and was perhaps justified in claiming his rights as a native son.

A graduate of Willamette, Ford began his legal career as a debt collector; according to the story, he wore a hat with a sign proclaiming himself “Bad Debt Collector” and would hail citizens from a distance so anyone within earshot would know the person being singled out was a bad risk. Not a great way to win friends and influence people, though his clients must have been ecstatic over his success!

TILMON FORD,
Attorney and Counselor at Law,
Salem, Oregon.
 Office in Patton's Brick Building, up stairs.
 march 28 75

For many years, besides his private practice in partnership with Wm. Kaiser and Charles Slater from about 1875 to 1880, Ford was active in civic affairs: he served two terms in the Oregon legislature and was instrumental in having the asylum moved to Salem from Portland (1883); he ran for congress in 1896 but

was defeated. Also, charitable activities took up much of his time (including the pro bono defense for Joe Drake, a black man accused – falsely – of murder and his service as a director of the Tigers volunteer fire company). He made a number of – anonymous – grants to his alma mater, Willamette University and, as a graduate of the school, he was one of three Salem lawyers appointed to consult on Willamette's controversy with the Alka Society in 1882 (Gatke: 382)

Ford represented the majority of those injured in the 1890 S.P. train derailment at Lake Labish, winning large settlements for the plaintiffs. Maria Winfield also had him on her side at her attempted murder trial in 1886 (See BB Vol. 45 #3, p.9).

Never married, Ford made his home through the years on the family homestead in N. Salem, in hotels and boarding houses, or on the ranches he bought in S. Salem. When he died in 1908 he resided with his cousin, Wm. Kaiser, after a paralytic stroke.

In his obituary (O.S. 3 March 1908, 1:1), the respect in which he was held by the legal profession is obvious: those chosen as pallbearers were all “Honorable” or judges (Judge

Burnett presented Ford's eulogy.) A strong Republican, he was a powerful and entertaining public speaker; a member of Odd Fellows and Elks, his funeral was conducted by IOOF who saw to his burial in Pioneer Cemetery. A sister and two brothers survived him.

(His family's impressive mausoleum – one of only two in the cemetery – was refurbished in 2013, over a century after its erection and contains the remains of all the Fords).

* * * * *



There is no question at all about Judge George Henry Burnett's birthplace: a native son, he was born in Yamhill County, near McMinnville, 9 May 1853 to George W. and Sidney (Younger) Burnett, 1845 pioneers. Educated in local schools, he graduated from Monmouth Christian College in 1873 and was engaged as a teacher in Sheridan schools; the two terms he taught there earned him \$33, from which he had to feed and lodge himself – probably leading to his decision to choose law as his future career. (However, in his sketch of Oregon biographies [Corning: 38] Burnett is noted as an educator so he many have served as guest lecturer at Willamette or other institutions to earn that distinction as two terms in a rural school hardly qualifies

someone as “an educator.”)

In the Fall of 1873 Burnett came to Salem to read law with Rufus Mallory and John J. Shaw; he was admitted to the bar in 1875.

As a young man of 24, he was appointed prosecuting attorney for the 3rd District of Oregon for the next two years. This District then included Tillamook, Linn, Polk and Yamhill counties as well as Marion County, necessitating long hours on horseback as established roads were few and virtually impassable by any other conveyance.

From 1878 to 1886 Burnett was in partnership with Judge J. J. Shaw in Salem, after which he practiced on his own for six years. It was during this time he acted as director of the Capital's fire company. Burnett's other public service venture covered the period from 1889-1892 when he was engaged as adjutant to the Oregon National Guard.

In the meantime his personal life had been enhanced by his marriage on the last day of 1879 to Miriam Belt, daughter of Alfred M. Belt, pioneer doctor in Salem. Their ultimate home was at 130 S. 24th Street (still standing.)

Once again, in 1892, he became a traveling justice when he was appointed circuit judge for the 3rd district; fortunately, that district had shrunk somewhat and only covered Linn, Polk and Marion Counties by that time. For the next 18 years he served in that capacity. Finally, after all those years “on call,” he was able to stay in Salem when he was elected a supreme court judge in November of 1910.

Serving as Chief Justice from 1921 to 1927, Burnett's life came to a close on 10 September 1927 when he suffered a heart attack at his home. He had spent his Saturday morning at his office in the supreme court building, came home for lunch and succumbed to the fatal affliction shortly thereafter.

The Grand Lodge of Masons were in charge of his funeral services honoring their past

grand master. Other organizations he'd belonged to – the Odd Fellows and Elks – also bemoaned his passing.

His first wife Miriam had died 3 years earlier, but his second wife, Frances Wise, survived him (Frances Lorena? The informant on his D.C. lists Lorena Burnett as his spouse.)

Governor Patterson eulogized Judge Burnett as a dear friend of long acquaintance, “His legal knowledge, his industry and his personal integrity made him invaluable as a justice of the supreme court and as a citizen” (O.S., 11 Sep 1927, 1:6 & 7)

The September 13th funeral was in the Webb & Clough Chapel, but his body was sent to Portland for cremation and burial.

Only his wife and an aged sister at Summer Lake survived him.

* * * * *



Peter H. D'Arcy was almost a native son as his parents, Peter and Barbara O'Neil D'Arcy left Brooklyn, N.Y. (where he was born 4 March 1854) to come west the year after his birth. Following 2 years in San Francisco, the family moved to Portland, spent two years there and moved to Salem in 1859.

The surname D'Arcy hardly sounds Irish, but that was his background. Both his parents were born in Ireland and may have been part of that mass exodus from the country during the potato crops' failure.

D'Arcy's career began on a different path from his two compatriots: in 1868, at the young age of 13, he became a printer's “devil” and worked for the next ten years as a pressman/printer for the local newspapers – the *Salem Daily Record* and *Oregon Statesman*. His early career was not overlooked when he later became a lawyer, for Salem's Typographical Union #210 recognized him with an honorary membership. The Oregon Ben Franklin Association also remembered his participation in their society.

As a student at Willamette (and while still working as a printer), D'Arcy had studied law in a Salem office and was admitted to the bar in 1876. D'Arcy's specialty was in the examination of land titles for Marion Co.; in 1884 he took on an associate, Samuel T. Richardson, another native Oregonian, who had begun his career as a doctor, then a teacher and principal, and a justice of the peace and county clerk. Another partner in the 1890s was George A. Bingham as D'Arcy's civic duties took up more and more of his time.

A municipal judgeship was the next step in D'Arcy's life; this lasted two years (1886). Then he ran for mayor of Salem, was elected to a two-year term (1890-92), after which he was elected president of the Salem Chamber of Commerce.

As a life member and director of the Oregon Historical Society, he indulged his long-standing interest in Oregon history. His most



JUDGE PETER H. D'ARCY

lasting contribution to pioneer history was the erecting of the Champoeg memorial to honor the pioneer founders of our state.

D'Arcy's serving as fire director of the Capitals in 1881 may have been at the request of Judge Burnett or D'Arcy's brother (Wm. J. D'Arcy was a member of the Capital Hose #1 in 1885.) Another family project was the construction of a Catholic chapel in Sheridan in memory of his mother.

Apparently D'Arcy had acquired a number of properties in town for in his obit (O.S. 8 Oct. 1933, 1:3) was mentioned his kindness and generosity toward his tenants. The old home at 685 Church Street was maintained by his sister Theresa, long-time teacher in the public schools, as D'Arcy was unmarried. He was proud of the fact that he'd lived for 73 years in the same house in Salem his parents had established in 1860: Lot 1, Block 1, Ward 1, Precinct 1. He also boasted of having known every governor of Oregon (except for Abernathy and Gaines) – either in private practice or when he served as supreme court clerk.

When he died 7 Oct. 1933 his passing was featured in a lengthy article and a portrait on the front page of the *Statesman*. His sister Theresa and brother William J. (of Butte, MT) survived him. His home at 685 Church Street is not only still there, but beautifully maintained.

* * * * *

This trio of Salem attorneys, and their partners or associates, was only a portion of those practicing in Salem of the '70s, '80s and '90s. From a total of 2 lawyers in 1850 Salem (neither of whom stayed long), by the beginning of 1899 there were 42 'legal eagles' in town. (Martindale: 612) these three were chosen simply because their lives came together on that July day in 1881 for a portrait.

Sources (other than newspapers)

Howard McKinley Corning, "Dictionary of Oregon History" (Portland: Binford & Mort, 1956)

Robert M. Gatke, "Chronicles of Willamette" (Portland: Binford & Mort, 1943)

J.B. Martindale, "Martindale's American Law Directory" © J.B. Martindale, N.Y. & Chicago - January 1899)

ATTORNEYS.

TILMON FORD, ATTORNEY AT LAW, Salem, Oregon. Office up stairs in Patton's block.

(ED.) H. BURNETT, ATTORNEY AT LAW, Salem, Oregon. Office over Ladd & Bush's bank.

S. T. RICHARDSON, ATTORNEY AT LAW, Office up stairs in front rooms of new Bush block, corner Commercial and Court street, Salem, Oregon.

WM. KAISER, ATTORNEY AT LAW, SA-lem, Oregon. Office with Tilmon Ford in Patton's building. Will practice in all the courts of Oregon. Collections made. Land office business a specialty.

N. B. KNIGHT, ATTORNEY AT LAW, OF-ice in Breyman-Bush block, Commercial street, Salem, Oregon.

J. J. SHAW, M. W. HUNT, SHAW & HUNT, attorneys at law. Office over Capital National bank, Salem, Oregon.

JOHN A. CARSON, ATTORNEY-AT-LAW, Office in Ladd & Bush's bank building, Sa-lem, Oregon.

B. F. BONHAM, W. H. HOLMES, BONHAM & Holmes attorneys at law. Office in Bush's block, between State and Court on Commercial street.

D. ARROY & BINGHAM, ATTORNEYS AND counselors at law, Salem, Oregon. Hav- ing an abstract of the records of Marion county, including a lot and block index of Salem, they have special facilities for examining titles to real estate. Business in the supreme court and in the state departments will receive prompt attention.

JUSTICE IN THE EARLY YEARS

Punishment was swift in the county's early history – mainly because there was no jailhouse in Salem prior to the summer of 1852 when the County Commissioners contracted with Samuel Parker and Joseph D. Geer to build a sturdy jail. Despite very specific details for its construction, however, it seems not to have been particularly secure as frequent items reescapes in contemporary newspapers attest.

Even before that date, there had been need for a jail to house a convicted murderer: William Kendall who had been adjudged guilty of the slaying of Wm. Hamilton. The confrontation arose over a land dispute between the two and ended with Kendall shooting Hamilton on 7 January 1851 (*The Spectator* [OR City] 16 January 1851, 3:1). Indicted on 26 March, Kendall pled not guilty at his trial April 1st (the delay caused by the difficulty of empaneling a non-biased jury.) The two-day trial resulted in a guilty verdict and next day the judge (William Strong) sentenced Kendall to hang April 18th.



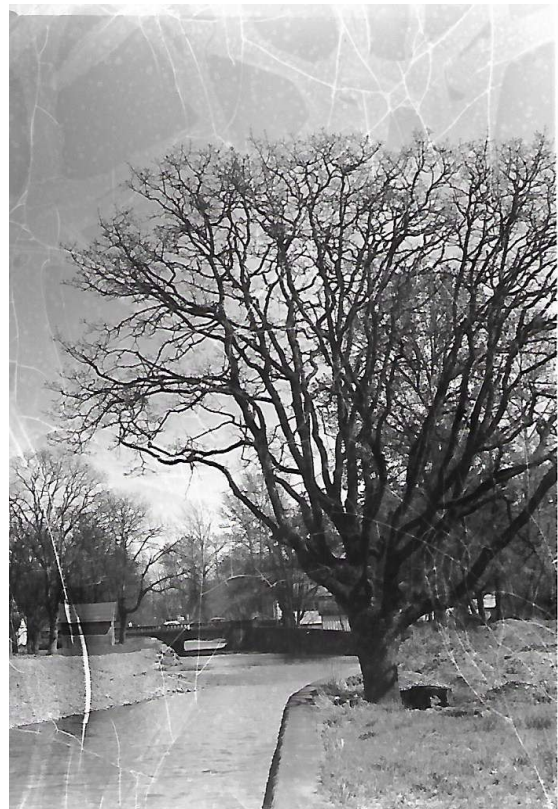
William Herren 1850-1854

But where to keep him in the meantime? Apparently, the prisoner was housed with the sheriff (Wm. Herren at the time) and another problem had to be addressed: where to carry out the execution? A location was chosen on the west bank of Mill Creek near the bridge on Church Street.

Here the killer met his fate – and for 15 years thereafter, here occurred public hangings prior to the state prison's being

relocated to Salem.

EXECUTION OF KENDALL.—The extreme sentence of the law was carried into effect upon Wm. Kendall, at Salem, on Friday. He made no confession of guilt, but protested his innocence to the last. Notwithstanding, we believe there is no doubt of his guilt in the public mind. Just before he was launched into the other world, he was asked if he had anything to say. He replied “nothing.” We understand that since his conviction, he had endeavored to commit suicide, determined not to be hanged. He first attempted to accomplish it by starvation, refusing to take food for several days after he was sentenced. At the gallows, also, after the noose was placed around his neck, he endeavored to effect his purpose by choking, but was prevented by the sheriff. A large concourse of people witnessed the execution. (*O.S.*, 25 April 1851, 4:6)



A second hanging became news in 1859, just after Oregon's changed status as a state. Charles I. Roe was the accused for the murder of his wife, Angelica Charpentier, in a jealous rage. (*O.S.*, 15 February 1859, 2:6)

Roe was sentenced to hang 2 April, the spectacle was well-attended:

The Execution of Roe.

The execution of Charles I. Roe, for the murder of his wife, took place in Salem, on Saturday last, (2 April), pursuant to sentence. It was witnessed by a concourse of people, variously estimated from eight to fifteen hundred, among whom were about two hundred women and children. At 12 minutes past 12, M., Sheriff Cornoyer and the jailor took the prisoner from the place of confinement, from whence he was conveyed in a wagon, guarded by files of muskets, to the place of execution, at the south-eastern edge of the village. He ascended the scaffold with a firm step, and took a seat thereon. Revs. Wm. Roberts and A. F. Waller, of the M.E. Church, his spiritual advisers, also had seats upon the scaffold. Mr. Roberts delivered quite a lengthy exhortation, which was taken down by our reporter, but for which we could not make room this week. It will appear in our next issue. After its close, the prisoner spoke with an audible and unflinching voice as follows: (A lengthy & heartfelt testimony of his wasted life).

The prisoner then stepped firmly out upon the drop, the cap and rope were adjusted, and at 12 past 1 o'clock the drop fell. In 7 minutes the struggling had mostly ceased, and in 4 minutes more the body of CHAS. I. ROE swung lifeless in the wind. The body was cut down at the end of 45 minutes.

No accident or other noteworthy circumstance occurred. A few of the citizens were detailed by the sheriff as guard to preserve order and prevent the crowd pressing too close to the scaffold.

[The prisoner slept undisturbed the night previous to his execution, and ate a hearty breakfast in the morning. About an hour before leaving his prison he drank coffee, remarking that in about two hours he supposed he should be in a better world than this. All his conversation and conduct during his confinement evinced complete sanity, but a high degree of enthusiasm upon the subject of religion, and the future state. He courted death, and feared commutation of his sentence to imprisonment.] (*O.S.*, 5 April 1859, 2:6)

A third use of the public hanging ground is a well-known incident in the annals of Salem: the double execution for the murder of Daniel Delaney – Beale and Baker. An item in Sam Clarke's scrapbook (#2, p.22) recaps the details of the tragedy:

THE DELANEY MURDER.

“A terrible tragedy occurred near Salem a few days ago . . . One of the earliest comers to Oregon from Missouri was Daniel Delaney, aged man, father of five sons independent of his aid, all prosperous and well-to-do. Selecting his spot he made a farm on one of the most beautiful locations on Mill Creek prairie, eight miles from Salem. The old man was a miser to all intents and purposes. He continually sold, never spent . . . not even his sons knew anything about his accumulations. Lived alone, denying himself ordinary comforts. One of the sons took the mother to live with him, leaving the old man to live alone with a negro boy and his dog. Robbers called him to the door and shot him down. In their confessions later,

they claimed it was not the intention to kill him, but merely to tie him up while they ransacked the premises, but he came out with a butcher knife and one of the men thought his partner said to shoot, whereas he claimed he shouted not to shoot. Meanwhile the boy had crept under the bed, where they were discovered through the dog barking, and the boy was also shot, though not seriously hurt. The robbers fled after finding some \$6000 cash in the house. Later the records and papers of the old man revealed directions for finding his hoardings, the total of which, on being found amounted to \$64,000. "Some of this was in old eight-sided \$50 slugs, with many California and Oregon coinage circulation of 1850 and some 'Beaver' money."

The ensuing trial for the double murderers raised such intense interest in the proceedings that the courthouse couldn't hold all those who wished to attend the trial; Griswold's Theater downtown was pressed into service for the venue. (*O.S.*, 27 March 1865, p. 1&2)

The Delaney Murder Trial

[a lengthy article – only the last portion is excerpted]

We publish this week a pretty full report of the evidence in the trial of the State vs George P. Beale and George Baker, indicted for the murder of Daniel Delaney, Sr. Annexed to the evidence will also be found the instructions of Judge Boise to the Jury, in substance. It is not pretended that it is all he did say, as it was written down by one who simply heard the charge delivered, and not by the Judge himself. It will be observed that the charge is very clear and precise, and entirely destitute of the least shadow of traveling to either one side or the other, and it is therefore eminently just and impartial.

We had intended to give an extended notice of the trial, but want of space forbids. The prosecution was ably conducted by Messrs. Williams & Mallory, and the defense was no less ably managed by Messrs Logan, Caton & Curl. Great credit is due to the Prosecuting Attorney, Mr. Mallory, and his partner Richard Williams, for the energy displayed in bringing these offenders to speedy justice, and the readiness with which they met the various shifts of the defense. Mr. Logan had every thing against him—the testimony and public prejudice—yet he made a very formidable defense—his masterly argument in the case did his professional ability great credit.

As to the prisoners, Baker showed but little concern throughout the trial, frequently talking and smiling with the counsel or bystanders. Beale exhibited an intense interest from first to last, even to making memoranda for the Attorneys, and prompting in the examination. Neither of them showed any alarm until they were brought into hear the verdict, and then both manifested intense excitement, which was participated in by the immense throng in no small degree, when the Judge solemnly rose up with the verdict in his hand. Bidding the jury and prisoners also rise, and to look upon each other, he read in a loud, distinct voice, the verdict of "Guilty as charged in the indictment." Then the prisoners were remanded to jail, and soon after, upon the entrance of his wife, Beale fell immoveable, as if shot through the heart, and great efforts were required to revive him.

Logan made a motion for a new trial when the prisoners were again brought out but they exhibited more composure than before. The motion for a new trial was overruled, and at 4 o'clock p.m., on Saturday, they were sentenced to be hung on the 17th of May next.

Before receiving their sentence they both declared that they were innocent of the murder of Delaney, both speaking with distinctness and composure. Beale requested that the day of his execution be postponed as long as possible, as his wife was in delicate health, but not on his own account, as he was ready to die at anytime; and he also requested that he might be shot, and not hung.

This was doubtless the most important criminal trial ever had in Marion county, as was evidenced by the excitement it created, and the immense crowds which attended throughout the trial, varying from four to eight hundred persons. So great was the anxiety to hear the arguments of the counsel, that the trial was removed from the Court House to Griswold's Theater, and here the gallery was filled with the ladies in attendance.

* * * * *

Once the penitentiary was transferred to Salem, public hangings ceased to be popular spectator events – with at least two notable exceptions: Wang Fook and Joe Drake.

Each was sentenced to death for murder, but there the similarity ends.

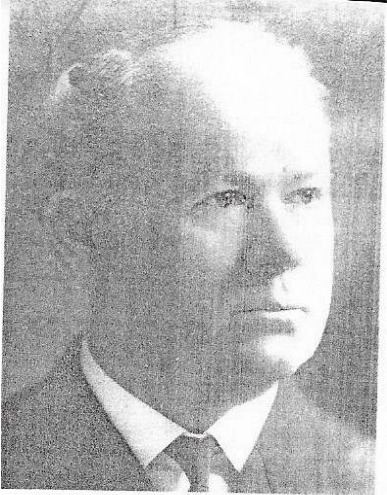
Wang Fook was sentenced to death for the killing of Hui Qui early in January of 1880:

WILL SWING—Wang Fook, the murder of the Chinawoman, Hui Qui, will on Tuesday, the 20th inst., expiate his cold-blooded crime on the gallows in the court house yard. A motion for a new trial was not made, and every hope to cheat justice and the gallows has been forsaken. He will surely receive his deserved fate. (*D.O.S.*, 10 January 1880, 3:2)

However, Wang cheated the hangman by suicide in his jail cell. He hung himself by his own suspenders the morning of the 20th, so even though he wasn't executed on the courthouse gallows, he did die by hanging.

Joe Drake, a young black man from a family long resident in Salem, was accused of the murder of David Swartz in the summer of 1884. This "Murder Most Foul" occurred 3 May of that year when Swartz was gunned down as he returned to his home in North Salem; rumors of trouble within the family resulted in the arrest of his wife and 15-year-old son. Two boarders with the family – Drake and William Henry – were also taken into custody as suspects. (*D.O.S.*, 6 May 1884, 3:2) The boy was released, but the three adults were charged with Swartz's death. Henry confessed and named Drake as the shooter; Mary Swartz was judged innocent at her trial. June 17th Drake received the death sentence, though his attorneys petitioned for a new trial because of incendiary remarks by the prosecutors. Citizens' petitions also urged retrial on the basis of Henry's receiving life in prison while Drake was ordered hanged. All to no avail:

AWAITING HIS DOOM.—Joseph Drake, the colored man who was one of the murderers of David Swartz last summer and who now lies in the Marion county jail under sentence of death, fully realizes his situation and is preparing to meet his doom. Judge Boise has not yet fixed the date of execution, but he may do so in chambers at any time. Drake has never entertained any hope of executive interference and no steps have yet been taken by his friends to secure a commutation of sentence. He has given away many keepsakes and written a number of affecting letters, being apparently well educated. He spends most of his time reading and receives but few callers and is at times very despondent, complaining of loss of appetite, etc. Sheriff Minto says he is an exemplary prisoner, never causing him the least



John Minto 1885-1890

trouble or uneasiness. He has indicated a desire to make a full confession when the time is set for his execution, in which he promises some important developments. Mr. Minto and family are as kind to him as circumstances will permit, while friends on the outside show him numerous acts of kindness. (*Oregonian*, 10 December 1884, 3:2)

Drake's imprisonment dragged on for another nine months; the week before his execution he was interviewed by a *Statesman* reporter and issued a final statement of his innocence, "I said all there is to say in the court room. They asked me if I had anything to say, and I told them I did not know anything about it. If I must die I can't do anything. I can't help it. I am here and I can't do anything. If I die I will die with the truth in my mouth." (*W.O.S.* 13 March 1885, 5:2)

The young man's execution took place on 22 March 1885. A gallows had been erected just north of the courthouse's east entrance with a partition surrounding it (to give the illusion of privacy, but those in the upper stories of the building were eyewitness to the spectacle.)

[See also: "Justice? Only Courthouse Hanging in 1885 Left Many Wondering" by Kyle Jansen in *Historic Marion*", Vol. 49 #1, pp. 10-11]

Why these two murderers (?) were designated for hanging at the Marion County Courthouse rather than O.S.P. is unknown.

* * * * *

MURDER SECRET BURIED

"Uncle Billy" Hawkins, 60 years old, has been committed to the Oregon state hospital.

Forty years ago his name leaped into the headlines of state papers when he shot and killed Harvey Ogle, a Salem man, following an argument said to have been started as a result of a quarrel over a woman. Hawkins was well known here at the time. He was a clerk in one of Salem's few drug stores. Ogle, a young man employed in the H. D. Patton book store, was well liked. The killing, which occurred at the Ladd & Bush corner, aroused Salem, then a small village.

Hawkins was tried and sentenced to state prison. He served a long number of years and was finally paroled by Governor Lord. Then he dropped from sight. He hid himself away in the hills back of Stayton and no one saw him.

A few months ago he was brought to Salem from his mountain home and placed on the poor farm. His mind had wandered and he was palsied. Last week he became worse and physicians recommended that he be placed in the state hospital. He will probably die there.— *Salem Statesman*.

(*Woodburn Independent*, 3 September 1925, 1:2)

OLD ST. PAUL CEMETERY
(Names with asterisks not indexed)

Continued from BB Vol. 47, No. 3

1852

Eusebe Tayekuarihi; buried 4 January; 6 years 7 months (d. 3 Jan.; d/o Jean Baptiste Tyikwarhi/Norwest, Iroquois, & Judith/Josephthe Walla Walla)

Joachim Finlay; buried 13 January; 15 years (d. 12 Jan.; poss. s/o Jean Finlay & Catherine Chinook, m'd 10 November 1842)

Xavier Menard; buried 14 February; 4 years (d. 13 Feb.; s/o Pierre Menard & Josette/Josephthe Youte)

Henriette Nordouest; buried 23 February; 38 years (d. 22 Feb.; w/o Jean Baptiste Tyikwarhi/Nordwest, m'd 8 July 1839 w/6 children - eldest 15 years)

Joseph Rivet; buried 16 March; 40 years (d. 11 Mar at OR City; h/o Marie Anne Despard, m'd 16 Nov 1846; s/o Francois Rivet & Therese, Flathead; see Probate File #59)

Joseph Menard; buried 17 March; 15 years (d. 16 Mar; s/o Pierre Menard & Josephthe Youte; b. 1839)

Stanislas/Tanisse Liard; buried 18 March; 35 years (d. 17 Mar; h/o Celeste Rochbrune, m'd 5 Feb 1849; s/o late Baptiste Liard & Marguerite Tamarle; of St. Jacques, Montreal; see Probate File # 55)

Marie Russi; buried 2 Apr; 8 months (d. 1 April; d/o Augustin Russi & Anne Tyakuarihi/Norwest; b. 25 July 1851)

Julie Beauchemin; buried 9 May; 30 years (d. 8 May, (2) w/o Charles Beauchemin & (1) w/o J.B. Godin; see Probate # 41)

Catherine Sauve Champagne; buried 17 May; 13 (?) years (d. 16 May; w/o Joseph Champagne, m'd 19 Nov 1850)

Marie Indian*; buried 29 June; 79 years

Acadie Bernier; buried 5 July; 5 years (b. 25 Aug 1847; bpt. 27 August as Leocadie Marie Bernier, d/o Francois Bernier & Pelagie Lucier)

Marie Attalon; buried 24 July; 25 years (bpt. 2 July 1848; age 20, as Catherine Atalo, Chinook)

Marie Florence Prevost; buried 1 October; 43 years (d. 30 Sept; w/o Charles Prevost; nee Pelletier, b. 7 Feb 1809)

John Western; buried 27 September; 1 year (d. 26 Sep; s/o David Western/Weston & Marie Sinclair; b. 12 September 1851)

Francois Rivet; buried 27 September; 95 years (d. 25 Sep; h/o Marie Theresa Flathead/Pend d'Oreille, m'd 21 Jan 1839 w/2 children – 25 & 23).

On the 24th of September, 1852, at his home on his claim in Marion County, Oregon Territory, Francois Rivet, of the age of 93 years. He was born in the parish of Saint Sulpice, Lower Canada. He was one of the first white men who came to this Territory with Lewis and Clark, and left them on their return to the east side, of the Rocky mountains, where he followed his

former occupation as a bearer.

When the first Indian traders of the North West Company came to the Flat Head country he entered their service as an interpreter, in which capacity—from his knowledge of the country and of the Indians, his intelligence, his honesty and zeal to promote the interests of the employer—earned him their esteem—while his good nature and good temper and cheerful flow of temper caused him to be beloved by all who knew him—and at the same time he was a most laborious hard-working man, and of such a kind and cheerful disposition that when not at work would amuse himself with his grandchildren and great-grandchildren (of whom he always managed to have his house full), not as if he was their grandfather and great-grandfather but as one of themselves. The writer of this saw him perform feats of gymnastics two years ago which he never saw better done by any young man of twenty.

(Oregon Statesman, 9 April 1853, 3:1)

Catherine*; buried 7 October; 32 years (d. 6 October)

Therese Rivet; buried 13 October; 97 years (d. 12 Oct; widow/o Francois Rivet above)

Jean Gingras; buried 15 October; 2 months (d. 14 Oct; s/o Jean Gingras & Bethzee/Eliz.

Finlay; b. 18 August)

Marie Costello; buried 19 November; 10 years (d. 17 Nov; d/o James Costello & Mary Cosgrove)

Olivier Laferte; buried 23 November; 23 years (d. 22 Nov; s/o Michel Laferte & Josephte Nez Perce; bpt. 6 July 1845; age 16 years)

Celestine Lucier; buried 25 November; 20 years (d. 24 Nov; w/o Louis Lucier, m'd 7 Jan 1852; d/o Jean Baptiste Gervais & Marie Lucier)

1853

Dr. James Sheil; buried 4 Jan; 35 years (d. 3 Jan; h/o Julia Nagle; see Probate File #70; removed to new cemetery)

With sincere regret we announce the death of Doct. James Shiel, late of Louisiana, and a graduate of the University of that State. Doct. Shiel was a resident of this Territory for more than two years, where he practiced his profession with zeal and ability. Highly esteemed for his many excellent qualities and correct deportment, beloved and respected by all who knew him, few men have passed away whose merits are as little known. He died of apoplexy, at his residence near St. Paul's Mission, in Oregon, on the 3rd inst., in 33rd year of his age. May he rest in peace, Marion Co. Jan. 8, 1853. (*O.S.* 22 Jan 1853)

Charles Indian*; buried 10 January; 35 years (d. 9 January)

Jean Indian*; buried 27 January; 15 years (d. 26 January)

Child of Gervas; buried 6 February; 0 days (poss. c/o Jean Baptiste Gervais & Marie Lucier)

Etienne Lussier; buried 9 March; 60 years (d. 8 March; h/o Marie Marguerite Chinook, m'd 10 Aug 1840; of St. Edward, Montreal; see Probate #75)

On the 19th ult., at his house on his claim in the vicinity of Champoeg, Marion Co., Oregon Territory, Etienne Luciere, about 65 years of age, born in the parish of Acadea, Lower

Canada. He came to this country in 1812 as one of the late J.J. Astor's engaged servants, with Messrs. Hunt and McKenzie, the leaders of the party, and remained in the country ever since, till 1829, as a trapper; that year he took a claim opposite to Portland, in 1830 he abandoned it. In 1831 he took the claim on which he ended his days. He is the first white man that settled on a claim in Oregon Territory. He was an excellent neighbor, and industrious, honest man, which, joined together, make a good citizen and a valuable member of society. (*O.S.* 9 Apr 1853)

Pierre Bourignon; buried 24 March; 3 years (d. 23 Mar; s/o Pierre Bourignon & Marguerite Indian; b. 16 Mar 1851)

Marguerite Bourignon; buried 25 March; 30 years (d. 24 Mar; w/o Pierre Prosspere Bourignon; m'd 25 July 1852 w/4 children)

Agathe Delcour; buried 4 May; 40 years (d. 2 May; w/o Baptiste Dalcour; nee Agatha Cayuse; m'd 9 July 1839)

Ant Rivet; buried 4 May; 5 years (d. 3 May; Antoine, s/o Antoine Rivet & Emelie Pend d'Oreille)

Rosalie Perrault; buried 29 August; 16 years (d. 27 Aug; foster d/o Baptiste Perrault; d. at home of Baptiste Deguire)

Jerome Rivet; buried 4 November; 10 months (d. 2 Nov; s/o Antoine Rivet & Emelie Moyse/Pend d'Oreille; b. 4 February 1853)

Thomas Deguire; buried 7 December; 2 years (d. 5 Dec; s/o Jean Baptiste Deguire & Marie Anne Peralt; b. 10 November 1851)

1854

Joseph Jacques; buried 13 January; 2 ½ years (d. 11 Jan; s/o late Joseph Jacques & Betsy Bourgeau)

Cuthbert Lacourse; buried 21 January; 16 years (d. 19 Jan; s/o Pierre Lacourse & Skaisis, Cree; b. ca 1836, bpt. 7 Nov 1838 age 2)

Marguerite Kalapouia; buried 3 March; 2 years (d/o Antoine Kalapouia & Marguerite Kalapouia)

Louis Lacourse; buried 11 March; 1 ½ years (d. 10 Mar; s/o Pierre Lacourse & Victoire McMillen)

Edouard Rivet; buried 6 April; 2 years (d. 5 Apr; s/o Antoine Rivet & Emelie Moyse/ Pend d'Oreille; b. 29 Sept 1850)

Charles Prevost; buried 11 April; d. 8 April in explosion of "Gazelle" at Canemah (s/o Charles Prevost & late Marie Florence Peltier)

Jacques Servant; buried 4 June; (64 years) (d. 2 June; h/o Josephte Okanogan, m'd 8 Jan 1842 w/6 ch. – eldest 17; s/o Jacques Servant & Josephte Charlebois of Vaudreuill, Canada; see Probate #105)

DIED—On the 2d inst., at his residence in the French Prairie, Jacques Servant, aged 64 years. (*O.S.* 13 June 1854, 3:3)

Son of Pichet; buried 19 June (d. 17 June; s/o Louis Pichet & Marguerite Bercier)

Louise Petit; buried 8 August; 1 ½ years (d. 7 Aug; d/o Amable Petit & Susanne Thomas/Tawakon)

William Canon; buried 30 August; 97 years (wid/o Chinouk woman)

DIED, on the French Prairie, in this county, near mission of St. Paul, at the residence of Casmir Gardipie, on the 29th ultimo, Mr. Wm. Canning, a native of Virginia, aged 99.

He came to the Willamette Valley in 1811, previous to that time he was in the Rocky mountains, and on his return to the States he met Hunt's party, on their way to the Columbia. He has resided in the territory since 1811, much esteemed by all who knew him.

(O.S. 5 September 1854, 3:3)

Felicite Labonte; buried 22 October; 16 ½ years (d. 20 Oct; w/o Louis Labonte; m'd 18 May 1852 as Euphrasie Gervais; d/o Jean Baptiste Gervais & late Marie Lucier)

Archange Lacourse; buried 3 November; 50 years (d. 1 Nov; w/o Pierre Lacourse, m'd 13 Jul 1840 as Archange, Tyelis)

Eloi Ducheneau; buried 4 December; 26 years (d. 2 Dec; s/o Louis Andre Ducheny & Josephte Missina Koksee/Dion of St. Cesaire Parish, Montreal; b. 27 May 1821 & bpt. as Roch Ducheny; see Probate #104)

Catherine Weston; buried 11 December; 20 months (d. 10 Dec; d/o David Weston & Mary Sinclair)

Francois Pascal Biscornet; buried 23 Dec; 63 years (d. 22 Dec; dit Caille; h/o Louise Cowichan, m'd 11 Feb 1839, w/3 ch. – eldest 7; of St. Constant, Montreal; s/o Godefroi Caille & Marie Josephte Banier-Laperee; b. 10 June 1791; see Probate #112)

1855

Euphreme Jeaudoin; buried 16 January; 4 months (d. 14 Jan; d/o Jean Baptiste Jeaudoin & Elizabeth Joachim)

Moyse Rivet; buried 31 Jan; 4 months (d. 30 Jan; s/o Antoine Rivet & Amelia Calispell)

John Indian*; buried 8 February; 23 years (lived w/Pierre Lacourse)

Joseph Laframboise; buried 15 Feb.; 13 years (s/o Michel Laframboise & Emelie Picard)

Michel Laferte; buried 15 March; 18 months (d. 13 Mar; s/o Michel Laferte & Angelique de Rivieres)

Therese Dalcourt; buried 23 March; 18 years (d. 22 Mar; d/o Baptiste Dalcourt & Agate, Indian)

Augustin Russie; buried 6 Apr; 30 years (d. 5 Apr; s/o Augustin Russie & Rose Chinook)

James Robinson; buried 17 April; 41 years (d. 15 Apr; h/o Mary Ann Ingram; soldier at The Dalles)

Baptiste Norwest; buried 25 April; 60 years (d. 23 Apr; wid/o Josephte, Walla Walla; Tahikwarhi, Iroquois)

Sarah Lacourse; bur. 11 Jun; 6 mos (d. 8 Jun; d/o Pierre Lacourse & Victoire McMillan)

Anders Norwest; buried 23 Jun; 3 years (d. 22 Jun; s/o Thomas Norwest & Louise Pierre)

Clarissa Isom; buried 7 October; 33 years (w/o James Jefferson Isom)

Lisette Indian*; buried 28 October; 60 years (d. 27 Oct; lived at home of Michel Laferte)

Jacques Poirier; buried 29 October; 2 ½ years (d. 27 Oct; s/o Alexander Poirier & Julienne Labonte)

1856

Marie Okanagan; buried 20 January; 4 years (d. 17 Jan; d/o Balanso & Aloyse Okanagan)
Francois Indian*; buried 3 February; 4 years (d. 1 Feb; b. 18 Feb 1853; s/o Michel & Catherine)

Luce Gardipie; buried 20 February; 2 yrs 8 months (d. 17 Feb; d/o Casimir Gardipie & Genevieve St. Martin; b. 10 June 1853)

Clarisse Montour; buried 27 February; 1 ½ years (d. 26 Feb; d/o Marguerite Montour & an unknown father)

William Gladman; buried 7 March; 24 years (d. 6 Mar; at house of Andre Lonetain)

Elizabeth Jeaudoin; about 23 years (w/o Baptiste Jeaudoin, m'd 2 Feb 1846 as Isabelle Hubert; d/o Joachim Hubert & Josephthe Chaudiere; bpt. 7 Nov 1838 age 5)

Maxime Moise Pend'Oreille; buried 24 April; 4 years (d. 23Apr; s/o Maxime Moise & Anne Paulin, both Pend'Oreille)

Rose Baptiste Indian*; buried 3 May; 11 years (d. 1 May at house of Amable Arquoit of the Butte)

Pierre Baptiste; buried 7 June; 2 ½ years (d. 6 June; s/o Thomas Baptiste & Louise Peter)

Pelagie Bernier; buried 10 June;(about 30 years) (d. 8 June; w/o Francois Bernier, m'd 27 Feb 1843; d/o Etienne Lucier & late Josephthe Mouette; bpt. 4 Oct 1840, age 14 years.)

Baptiste Dalcourt; buried 8 July; 55 years (d. 7 July – drowned; h/o Agathe Cayuse, m'd 9 July 1839, dit Champagne – after 1840; see Probate #141)

Jean Gingras; buried 7 October; (d. 5 Oct; wid/o (1) Charlotte/Louise Okanogan, m'd 2 Aug 1841 w/5 ch – eldest 13 yrs; from Petit Maska, Canada; see Probate #145 & (2) Olive Forcier)

Madeleine Pend'Oreille; buried 11 October; 2 years (d/o Maxime Pend'Oreille & Pauline Spokan)

Francois Rivet; buried 31 October; 17 years (d. 30 Oct; s/o Antoine Rivet & Emelie Pend'Oreille; b. 15 April 1839)

1857

Marie Menard; buried 8 Jan; 30 years (d. 6 Jan; w/o Pierre Menard, m'd 21 Jun 1852, as Marie Blackfoot)

Caroline Gardipie; buried 2 Feb; 2 yrs (d. 1 Feb; d/o Casimir Gardipie & Genevieve St. Martin)

Josette Bourgeau; buried 10 May; (about 38 yrs; d. 8 May; w/o Sylvain Bourgeau, m'd 11 Feb 1839; nee Josephthe, Sak; bpt. 10 Feb 1839, age 20 years)

Elizabeth Boisverd; buried 23 Sep (d. 21 Sep; w/o Kiyus Boisverd, m'd 24 Feb 1852, nee Elizabeth/Bethzee Snowden)

Josephthe Servant; buried 24 Sep; 12 years (d. 22 Sep; d/o Jacques Servant & Josephthe Okanogan)

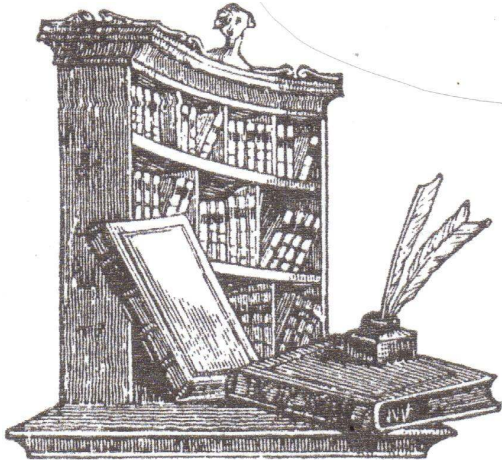
To be continued. . .

PICTURE THIS: A HISTORY MYSTERY

The State Library has hundreds of unidentified pictures from the Trover collection and other studios from in and around Salem. In an effort to identify at least some of them, a regular feature of each “Beaver Briefs” issue will be to present one of these “orphan” pictures with the hope that one of our readers might recognize a person, time period or location of the picture.



A young family from the 1930s – could this portrait have been taken as a Christmas gift for Dad? Since this is within the realm of our readers’ memory, we are hopeful someone might recognize this group and be able to rescue it from the “unknowns” in the Trover files.



NEW BOOKS NOT IN W.V.G.S. COLLECTION

Ewan Clayton, “The Golden Thread – The Story of Writing” (Berkeley, CA: Counterpoint Press, 2013)

This may not be everyone’s “cup of tea” (because of its technical jargon), but considering how much we genealogists rely on written records, it may well be of interest to those intrigued by how it all began (and could help us decipher those ancient records.) Oral traditions and genealogies have been lost over the eons and were it not for those who recorded stories and events over the centuries, our work in tracing family history would be impossible.

The author recounts the history of writing and letter-forms since the beginning – sprinkling his discourse with numerous illustrations – to portray how the alphabet evolved, from BCE to present-day. He worked as a consultant with Xerox’s Palo Alto Research Center in digital communications so is conversant with 21st Century technologies, teaches calligraphy and serves on the Sunderland University (England) Faculty in Design & Media.

From hieroglyphs to the creation of a standardized alphabet; from papyrus scrolls to leather-laced wax tablets inscribed by a stylus; from vellum or parchment leaves sewed together in codex (book) form to the Book of Hours and other illuminated manuscripts that took years to complete (and required muscles to lift the heavy tomes!); from woodblock printing in China to Gutenberg’s innovation of movable type; from 16th Century establishment of printing presses throughout the world to today’s typewriters, faxes, copiers and PCs – this volume is an overview of how the written word has developed over time – a treat for any bibliophile.

In addition to these dramatic changes in human existence, count the following: from near universal illiteracy to schools established specifically to teach reading and writing; demands for a postal system to deliver personal, business, political and religious correspondence; the dissemination of information and ideas throughout the civilized world – cultural and social changes all based upon the acceptance of one alphabet as a blurb inside the front cover declares: This book belongs on the shelves of anyone who is inquisitive not just about the centrality of writing in the history of humanity, but also about its future; it is sure to appeal to lovers of language, books and cultural history.

Besides the author’s qualifications on this subject, he also spent four years in the scriptorium of a monastery which accounts for the myriad of illustrations in this book. An index and extensive bibliography complete the volume.

Q: In this era of DNA testing and legal sensitivity, how should a genealogist deal with an adoption in the lineage? And if it was a closed adoption, but the child's parentage is known, should that information be included? (The questioner goes on to explain that she has a brother who shares her surname but not her DNA and has received a request from a "cousin" for a DNA sample which he had to refuse. Further, in the search for his parentage, his bio-mother had begged for anonymity as her husband and family did not know of his existence, nor did his bio-father know he had sired a son.)

A: A delicate question but it is not unique in this day and age nor in prior generations. As genealogists, we are tasked with presenting the truth, but at what cost? If the biological facts are known, don't we owe it to future generations to disclose the details? Still, we owe a debt as well to the individuals who may be impacted by disclosure of a situation that they had every assurance would not be revealed unless they chose to do so.

To solve the dilemma, we sought the advice of an organization that works with adoptees to discover their backgrounds. (Please keep in mind that their philosophy is that every adoptee should know of his/her lineage.)

Laws regarding adoptees' birth information have eased in the past two decades: in Oregon, since 2000 adoptees have been granted access to their birth certificates pre-adoption thru an agency of D.H.S. and as of 1 January 2014, they can personally acquire a copy of their original birth certificates.

Various states, of course, have different laws governing the rights of adoptees and their birth parents – and some parents do request their secret be preserved – but the attitudes toward out-of-wedlock births have significantly evolved over the years and even if the parents are hesitant to disclose that earlier indiscretion their children have a right to know they have other siblings in the world.

Therefore, in your case, knowing the mother of your brother wishes to remain unknown, it becomes a moral question: if this information is published, will it upset the domestic scenario the bio-mother has carefully scripted all these years or would it be a tremendous relief to know she will no longer have to carry the burden of that secret? I know for a fact that bio-mothers never forget that child; a friend of mine went through such an event and all her life worried if she'd done the right thing and that her son had enjoyed a happy life. Yes, it had tainted her life as she died never knowing —

Therefore, the difficult choice is yours to make; just keep in mind there could be repercussions – good or bad.

And what of artificial insemination? A whole other can of worms we cannot address here.



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