

BERKELEY MAN CALLED IN ON MANNING CASE

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Importance of this point demanded a conclusive expert study, and would suggest the gun and prints of Manning and Horan, be sent to the Luke May criminal laboratories in Seattle.

The authorities centered much attention on the gun in Horan's left hand. They said that Horan was right-handed. His law partner, Claude McCulloch, stated Horan was not in the habit of carrying a gun, and Deputy District Attorney D. E. Van Vactor said the possibility that both guns came from a drawer in Manning's desk was being thoroughly studied.

Chair Hit By Bullets

Bearing out Manning's self-defense story were two bullet holes, one in the back of Manning's high-backed, red leather chair, and the other in a book case behind the chair. The two attorneys presumably had been in conversation across Manning's desk, with Manning occupying the high-backed chair and Horan sitting in a smaller, straight chair in front of and at the end of the desk.

Two empty shells were found in each gun. Officers said that their investigation was turning upon the question of ownership of the gun and the part it played in the shooting.

Inquest at 8:00 Today

Dr. George H. Adler, coroner, called an inquest at 8 o'clock at the Whitlock parlors. He announced the names of the jurors as: Claude Davis, Ed Vannice, Webb Kennett, A. G. Goehring, L. Hendricks and Charles La Pointe.

Important information regarding the case was expected to come from the inquest, including possibly the report of Dr. C. V. Rugh and Dr. Adler on the autopsy conducted into the night. The surgeons found one bullet had pierced Horan's heart and lung, passing out the back, and the other had shattered his right arm. They found the second bullet lodged under the collar bone. They also examined the contents of Horan's stomach.

Horan at Agency

The officers were continuing an extensive investigation of all circumstances surrounding and leading up to the shooting.

Horan had, on Monday afternoon, returned from Klamath Agency, where he took Mrs. Horan from the Klamath Valley hospital. Mrs. Horan had been recuperating from a recent critical operation. It is understood Horan remained with Mrs. Horan at the home of her parents at Klamath Agency over Sunday night.

Manning had been at or near his office Monday afternoon. Gillenwaters had conversed with the veteran criminal lawyer about 4 o'clock, and had sought to talk him into accompanying a party of local Republicans to the Lincoln day banquet at Medford. Manning had finally refused to go. About 5 o'clock, he had talked briefly with Orin Sisemore, Gillenwaters' associate,

in the Gillenwaters-Sisemore office just down the hall from the offices of Manning and his associate, Don F. Hamlin.

Manning Sends Message

Claude McCulloch, Horan's associate, said Horan called him at his home at about 5:30 or 6 o'clock in regard to a message Manning had sent to the Horan-McColloch office earlier in the day. He said Horan said he would drop over and talk to Manning and then would call at the McCulloch home.

Thus the two lawyers, one-time partners in the firm of Manning, McCulloch, Driscoll and Horan, were brought together at Manning's office, probably around 6 o'clock.

At 6:15 o'clock, the county jail telephone rang and Deputy Sheriff McMillan answered. McMillan said Manning told him:

"Ralph and I have had an argument, and there has been some shooting. He took a couple of shots at me and I shot him. I'm afraid he's dead."

Gun Given Up

McMillan said he refused at first to believe what he had heard. Convinced, he telephoned Walker and Van Vactor and they went to Manning's office.

Manning came to the door of the anteroom and unlocked it. He handed Van Vactor a gun he took from his pocket, and remained in the outer room while the officers went into the inner office to study the situation there.

The officers said Manning apparently had called Mrs. Manning before calling the county jail. She came while the officers, including Sheriff Low, were still at the office with Manning. They conversed briefly in the presence of officers, Manning explaining the situation to his wife in approximately the same manner in which he had informed McMillan of the shooting over the telephone.

In the inner office, Horan's body lay stretched face downward. One foot was under the chair at the end of the desk, and the other under the table. There was no blood.

Officers said Manning also had called Earl Whitlock, local undertaker.

After Horan's body had been outlined on the linoleum floor of the office, it was removed to the Whitlock parlors.

Scene Photographed

Deputy Sheriff McMillan took numerous pictures of the office interior, and measurements were taken and diagrams made.

Sheriff Lloyd Low took Manning to the county jail. There he was interviewed later by Attorney William Ganong, with whom Manning at one time practiced.

Manning told officers Tuesday morning that he had slept little in the night, but had gotten "some rest." He ate a good breakfast of bacon and eggs, according to McMillan.

Ganong talked briefly to Manning again Tuesday morning. He said the attorney was in fairly good spirits. Ganong said he had not gone into the facts of the case with Manning. He said he did not know who would represent Manning in a legal capacity.

Background Mystery

The officers sought Tuesday afternoon to discover if any one heard the shots fired at Manning's office. Persons living in nearby apartments were questioned. The McCarthy apartments are

across the alley from the Underwood building office.

The emotional background of the apparent dispute was largely a matter of conjecture. Friends said they knew of no immediate cause of feeling between Horan and Manning, and McCulloch said he supposed the late afternoon appointment was merely over a routine legal matter.

Ganong Silent

A case known to be pending between Manning's and Horan's offices was that of Eugene S. Kelly versus the Southern Oregon Publishing company, but there was known to be no developments in this matter, and nothing that might have led to the shooting.

The former association of the attorneys in the law firm here was also studied speculatively in search of a motive for the difficulty that apparently arose at the conference.

City police officers at the Manning office undertook to re-enact the shooting Monday night, to determine the feasibility of Manning's story.

In answer to a question by The Herald, Ganong said he had no formal statement to make. Such a statement was made early Tuesday by McCulloch. It follows:

McCulloch's Statement

"Ralph Horan's wife has been gravely ill for nearly two weeks from an emergency operation."

"Ralph took his wife from the hospital Sunday afternoon and drove to the Agency where Mrs. Horan was to remain with her parents during convalescence."

"I was at our office nearly all day Monday, but did not expect Ralph back at any certain time."

"He called me at my home about 5:30 or 6 to ask about a phone call from Manning which was on his desk. He asked what it was about and I told him I didn't know. I supposed about some case. Manning had called me during the morning and had asked to have Horan call him."

"I urged Ralph to come to my house—that I had been in conference during the day on an important matter and wanted him to know about it. He said he already had answered Manning's call and had told Manning he would come by his office for a few minutes and after that he would come by my house."

"The next I heard was about 8:00 o'clock when Attorney Ganong called and said Ralph had been shot and killed."

"I understood a revolver was found near Ralph's hand. I never knew him to carry a revolver or to have any reason for carrying one and I don't believe he had a revolver on his person when he was killed."

"Horan went to Manning's office at Manning's request, communicated through me, so far as I know on a purely routine matter of business, and his intention was, after spending a few minutes with Manning on whatever business Manning had called him for, to go to his own home for dinner, seeing me first briefly."

"During Mrs. Horan's absence at the Agency, Ralph's mother was looking after his two small children at the Horan home on Auburn street."

The shooting was a closely guarded secret among a few officers for approximately two hours. About 8:30 o'clock, the startling news slipped out, and the prominence of the two figures involved and the sensational features of the incident sent it running like wild-fire over the city.

Mrs. Horan was informed at

the Agency Monday night, and was brought to Klamath Falls Tuesday.

Mrs. Manning was with her brother-in-law, Howard Perrin, after the shooting Monday night. It is understood Mrs. Perrin left for Seattle with Horace, Jr., son of Mr. and Mrs. Manning.

Convicts Facing Murder Charges

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brought death to eight men and injury to a dozen others.

WALLA WALLA, Wash., Feb. 13. (UP)—Five convicts and one prison guard were killed in a sudden riot at Walla Walla penitentiary Monday which brought death to ten men and injury to ten others.

Eight convicts and three guards were injured.

F. L. Gleason, turnkey, stab wounds.
Tom Hubbard, turnkey, stab wounds.
H. N. Williams, turnkey, stab wounds.

The Dead
H. L. Briggs, turnkey.
Wallace Turcott, King county, Wash., serving 4-10 years for robbery.

Paul Krouse, King county, admitted 1932, 8-20, robbery.
H. R. Clark, Walla Walla, 10-20, murder, second degree.
Gerald Hill, Clark county, admitted 1933, 2 1/2-15 years, grand larceny.

Jas. R. DeLong, Pierce county, admitted 1932, 10-25 years, robbery.
Ernest DeBoer, Whatcom county, admitted 1933, 5-6 years, robbery.

Herchell Robert Parks, admitted 1929, 7 1/2-15 years, carnal knowledge.
The Injured
Ross E. Chapin, King county, admitted 1934, 18 months to 15 years, forgery.

Ernest Alonzo Ware, King county, admitted 1933, 8-10 years, robbery.
Robert Bain, King county, admitted 1932, 8-15 years, robbery.
Lawrence Colton, Kelso, admitted May 29, 1923, paroled and re-entered for parole violation, 1931, result of robbery.

Lindy's Protests Adjourn Congress

(Continued from Page One)

on. Fish said "yes" unless he had his way on the Lindbergh letter.

Piqued, Byrnes would not give in. He moved adjournment. It was carried, and for the second time in a week such an impasse had forced the leaders to abandon their plans.

Amid the many comments on Lindbergh's letter and the White House attitude toward it, Speaker Rainey said he thought the aviator had been tactless in having the letter published before it was received at the White House.

LEAGUE MAY SEND ARMED ASSISTANCE

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killed, while rumors, with some basis of plausibility, placed the toll as high as 2,000.

The large majority of these slain were killed in the Vienna working class district.

Women and Children Hit

Frau Saver, widow of the former socialist governor of Lower Austria, was killed there. How many other women were victims in other districts is not known.

Still no one can tell how many died when government artillery shelled the huge Karl Marx apartment house, where 2,000 socialist families once lived.

Women and children were fed to the flames of civil war as government artillery smashed the Karl Marx apartment building, housing 2,000 socialist families. No one knows how many were killed.

The howitzers apparently smashed the third and fourth floors of the greatest apartment building in Europe. The middle arch collapsed.

Structure Shelled

The shelling of the \$4,000,000 structure was only one corner of the aspect of Austria today, while the forces of Chancellor Engelbert Dollfuss struggled through bloody streets to put down the rebellion of the socialist party.

Apparently at least 200 have been killed outside Vienna. Battles raged at Steyr, Graz and Linz, as well as Vienna.

At Etey, sharp fighting broke out again early this morning when socialists stationed machine guns on top a hill commanding the town.

Munitions Taken Over

Other forces of socialists were in possession of the great wartime munitions plant. Government forces charged the plant repeatedly in a desperate attempt to take the position.

Men fell, dead and wounded, but there was no time nor opportunity to count the casualties.

The battle at the Karl Marx building was as horrible as some of the veterans who fought had seen in the days of the world war.

Machine guns blazed from the windows of the homes of laborers at the soldiers who sought to enter.

Fighting Heavy

The government forces found machine guns, hand grenades and tear gas insufficient to batter

down the stubborn resistance. So they unleashed howitzers.

The big shells ripped into the concrete structure. Cement dust rose in the air. Whole corners of the building disappeared.

Following up the artillery attack, government forces swarmed into the courtyard.

Socialists continued their firing from machine gun nests. Rifle fire also was directed against the attackers.

Hand grenade fighting developed as the combatants came to close quarters.

Heavy fighting also broke out again, after hours of comparative calm, in the Floridsdorf factory section of Vienna.

Socialists, who lost a fight for possession of their own headquarters, were stormed and captured.

HIGH COURT BACKS KNOX LIQUOR LAW

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all charters and ordinances in conflict therewith."

Assuming the home rule provision, granting cities the right to regulate traffic in liquor, was still in effect, the opinion stated that "notwithstanding the power delegated to cities under the home rule amendment, they are still instrumentalities for the administration of the general laws of the state within their corporate boundaries. Under our constitutional system of government, a municipality is an agency of the state. In delegating authority under the home rule amendment, it was not contemplated that a state be created within a state."

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Washington Mail Trial Continues

(Continued from Page One)

Postmaster John J. Kiely, of New York, to show cause Friday why they should not be restrained from acting under the Farley order of February 3 cancelling air mail contracts.

PWA ALLOTMENT

WASHINGTON, Feb. 13 (AP)—The public works administration today allotted \$2,235,000 for purchase of land for emergency conservation work in national park and national monument areas.

The Japanese word "Korea" means "Chosen."

Ward's February Furniture Sale

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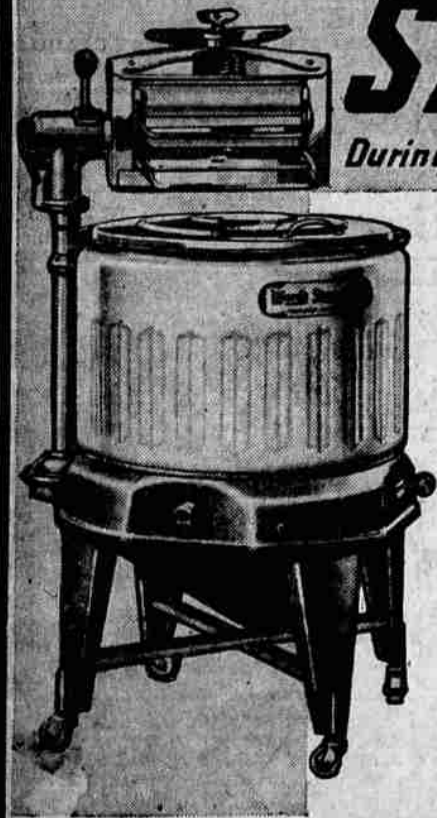


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